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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable EDWARD J. MARKEY, a Senator from the Commonwealth of Massachusetts.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

God of grace, glory, and power, the battle belongs to You. Forgive us for fearing the future, forgetting how You have led us in the past. Forgive us also for our haste to paint a caricature of the many because of the mistakes of the few. Lord, remind us that fierce winds bring no anxiety to those who keep their eyes on You.

Lord, today, imbue our lawmakers and the members of their staffs with Your wisdom, that they may know the road to take. Sustain those who courageously bear the burdens of the marginalized.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 31, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable EDWARD J. MARKEY, a

Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. MARKEY thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

RECOGNIZING SENATOR MARKEY

Mr. REID. Mr. President, just a brief word or two about the Presiding Officer. When he took the oath to become a Senator, we had a lot of things going on here. I did not have the opportunity to say as much about him as I would have liked because we were in the thralls of a real battle that we seem to have resolved.

I do not know if there is anyone in my 31 years of Congress who has been better prepared to be a Senator than the Senator from Massachusetts who now is the Presiding Officer. His stunning record has already been established with his work in the Senate. I have, from afar, admired this good man and for 4 years up close when I served in the House with him. His work for the environment has been unparalleled. His is one of the rare voices that have for many years understood the dangers of nuclear waste. He has been aware of the benefits of nuclear power but also the dangers.

There is a long résumé the Presiding Officer has. I want the record to reflect that I am terribly impressed with the work he has already done in the House and will be even more impressed with the work he will do here in the Senate. The people of Massachusetts are very fortunate in having the Presiding Officer from Massachusetts.

SCHEDULE

Mr. REID. Following leader remarks the Senate will resume consideration of the Transportation, Housing and Urban Development appropriations bill. At about 10:45 there will be a roll-call vote in relation to the Paul amendment. As I have indicated to him and others, we will probably move to table that. That will be up to the two managers of the bill, but I understand that is what they are going to do—or someone will do.

Following disposition of the Paul amendment, the Senate will proceed to executive session to consider the Jones nomination to be Director of the ATF. We will do this vote just as quickly as I can work out an appropriate time with the Republican leader.

Yesterday I filed cloture on the THUD bill. As a result, the filing deadline for all first-degree amendments on that bill is 1 p.m. today.

MEASURE PLACED ON THE CALENDAR—S. 1392

Mr. REID. I am told S. 1392 is at the desk and due for a second reading. If that is true, I ask the clerk to report the same.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The assistant legislative clerk read as follows:

A bill (S. 1392) to promote energy savings in residential buildings and industry, and for other purposes.

Mr. REID. Mr. President, I object to any further proceedings on this bill at this time.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

THE TAX CODE

Mr. REID. Mr. President, when President Obama proposed a plan yesterday

• This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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to simplify our corporate Tax Code and lower rates for businesses, I expected Republicans all over the country but especially here in Congress to jump for joy. I think there are many people around the country who were satisfied and happy, but the Republican leadership in the Congress surprised me and I think a lot of people by their reaction. Just a few months ago Leader McCONNELL signaled he would be open to a plan to reform the Tax Code. This is what he said:

I'm told President Obama is going to come out for lowering the corporate tax rate. To the extent he wants to do some of these things, our answer is going to be yes.

It is amazing how quickly his answer went from yes to no, no. Republicans have favored corporate tax reform for decades. We have heard them say so. This was one of the mantras during the Presidential campaign. But now that President Obama is proposing it, Republicans are opposing it.

The President's thoughtful approach would couple lower tax rates, corporate tax rates, with investments in job-creating measures, such as roads and bridges and dams, worker training programs, and manufacturing incentives.

He was in the State of Tennessee when he made this announcement. They are a picture book as to how corporate interests there can really move on. They have done a great job in Tennessee, and I would bet that at every corporation in Tennessee they were elated to hear what President Obama had to say yesterday.

It is going to take a balanced approach and include smart spending cuts, closing wasteful loopholes and asking corporations that will benefit from lower tax rates to contribute their fair share. Even Speaker BOEHNER supported this approach in the past. This is what he said just a short time ago:

If we want to put Americans back to work, I think lowering the corporate tax rate is critically important. And to do that, I think we have to look at the tax-expenditure side, the deductions, credits, and other gimmicks that may be in the tax code and that have accumulated over the last 30 years.

I do not say this very often, but Speaker BOEHNER was right.

This is the kind of balanced approach to deficit reduction the American people favor—a simpler tax code that lowers rates, makes our businesses more competitive, but also raises new revenue to invest in job creation. We have learned that the sequestration has already cut 1.6 million jobs, so we need job creation. We need to help the middle class by creating jobs. As President Obama said, if we are going to give businesses a better deal, we need to give workers a better deal also. We can use the money we save by simplifying the Tax Code to create jobs now, right away, jobs that can never be outsourced. Both Democrats and Republicans can get something they want, and the economy gets the shot in the arm it needs.

We have already cut the deficit in half over the last 3 years—that is the yearly deficit—and we have already saved \$2.6 trillion from the accumulated debt. Democrats know there is more to be done. We certainly do. But we will not agree to any plan that balances the budget by killing jobs even more than already and whacking the middle class, and that is while holding the richest individuals and corporations harmless.

Democrats believe we must offset the harsh spending cuts of the last few years with job creation that puts the middle class back on track. To get the economy back to full steam, we should be making targeted investments in areas such as infrastructure and education—things that have always helped America grow and succeed.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

PRESIDENTIAL LEADERSHIP

Mr. McCONNELL. Mr. President, you know there is not much to say about the President's speech yesterday other than that he actually retreated from previous commitments to a more bipartisan, revenue-neutral corporate tax reform and then tried to sell that rejection of bipartisanship as some "grand bargain"—I mean, only in Washington. But let me say this: It really would be nice to see the President work with Congress for a change to get some important work done for the American people. Republicans have been eager to do this all along, but, really, it is almost as if there is a "Gone Campaignin'" sign outside the Oval Office—a "Gone Campaignin'" sign outside the Oval Office. On the rarest of occasions when he does come to the Hill, as he will today, you find out it is basically just for another internal campaign rally with Democrats.

I hope he will finally get serious and make one of his famous pivots—this time in a new direction toward effective policy and away from the never-ending political sideshow. But it is hard to see, especially when you consider that the President's party is now attempting to blow up one of the most genuinely bipartisan accomplishments of the Obama era.

The Budget Control Act that was agreed upon two summers ago represented a commitment from Washington to America, a bipartisan promise to enact \$2.1 trillion in spending control. Last year the slightest hint of fiddling with the spending caps led to a furious response from senior Washington Democrats. It even led to a veto threat from the White House. But now Washington Democrats are tired of bipartisanship. The commitments they made have become an inconvenience to their special interest agenda, so now

they are threatening to shut the government down if they are not allowed to break their word. That is what this appropriations debate we are having is all about. It is about an attempt to blow up an important bipartisan achievement by busting the spending caps to which both parties already agreed.

Republicans do not believe we should be breaking our commitments to the American people, and breaking commitments in order to overspend, as Democrats propose, seems like an even worse reason for them to shut down the government. So I hope they will not. I hope they will think about the "third way" offer we have made to them too—that we would happily discuss exchanging some of the particular cuts they do not like for government reforms, the kinds of innovative ideas that can get our economy back on track and our government back in the black not just in the immediate term but over the long haul. This policy discussion has never been more relevant, especially when we look at what is happening in Detroit and what is happening in Europe, when we realize that the real-world consequences of putting off reform are no longer just abstract or hypothetical, they are here, they are real, and they are now.

The experts tell us that the United States is already on a completely unsustainable fiscal trajectory and that we need to make some big changes today if we want to avoid a similar fate. They also tell us that, unlike Detroit or Greece, America still has some time to chart its own future—but not long. That is why the choices we make today are so important. We can follow the Democratic path to austerity—the path of breaking spending caps wide open and borrowing more money we do not have, of callously rejecting reform and blissfully denying the future. That path inevitably leads to European-style austerity, to the decimation of the middle class, to desperation for the least among us, or we can follow the Republican path to reform and growth, a path of smart choices, innovative reforms, and orienting our economy toward the future. The Republican path not only prevents austerity tomorrow but leads to more jobs and a better economy today. The Democratic path to austerity or a Republican path to reform and growth, these are the choices.

Voting for appropriations legislation that blatantly violates budget reforms already agreed to by both parties moves our country in exactly the wrong direction. It puts us on the Democratic path to austerity. That is one of the many reasons I will be voting against this spending bill, and I urge my colleagues to do the same. It is time to get serious about the challenges we face. It is time to work together to reposition America for growth and prosperity and sustainability in the 21st century.

If the President is willing to get off the campaign trail and show some leadership with his party—convince them

of the positive reforms and the need to actually stick to them—I am confident we can create a better economy today and leave a better future for our children tomorrow. But it is up to him, and his visit today offers a great chance to convey this message to his fellow Democrats.

TRIBUTE TO ROHIT KUMAR

Mr. McCONNELL. Mr. President, I would like to say a few words about my departing deputy chief of staff Rohit Kumar, who announced a few weeks back he would be leaving the Senate at the end of this week.

Many of the Members of the Senate know Rohit pretty well. He has been trolling the floor out here for a long time, telling us on the Republican side what to do and how to do it. He has been a constant presence at my side at just about every legislative battle we have had here in the Senate for the past 6½ years; actually, even before that, when he was working for Leader Frist, and I was over in the whip's office.

So many of us could recount Rohit's many talents, but as his boss it falls on me to do it, and I am happy to do it because we have been through a lot. The first thing to say about Rohit is that his mind is like a trap. He has the answer to literally every question the moment you ask him, and he has usually thought through the politics of it too. That might not sound terribly unusual, but I assure you it is rare in this business to come across somebody who combines a brilliant mind for policy and a brilliant mind for politics in one package, but that is Rohit. He is remarkable that way. It is one of the reasons he has been indispensable to me, not only in the day-to-day stuff but especially on the three major deals I helped broker with Vice President BIDEN, starting with the 2-year extension of the Bush tax cuts in late 2010, the debt limit deal we arrived at in the summer of 2011, and then, of course, the fiscal cliff agreement at the end of last year in which we locked in the Bush tax rates permanently for 99 percent of Americans. That is something we couldn't even do, by the way, when we had a Republican House, a Republican Senate, and a Republican President.

Every one of those agreements involved a lot of work, a lot of nights and weekends, and tremendous focus. We couldn't have done any of them without Rohit. Anything that ever came up in those discussions, Rohit can tell us the upsides and the downsides, where the other side was willing to go and where they weren't. He knew where all the tripwires were, and it is because of these same skills as well as his grasp of Senate rules and procedure that he has become sort of an informal adviser to the entire Republican conference over the years.

It is not at all unusual for me to walk back to Rohit's desk and see him

talking to another Senator in my office—either in person or on the phone. He knows how things work, and folks who are smart know they can call him or swing by if they want to know what is going on or what is possible or what is not on absolutely anything. A lot of other Senators will miss him every bit as much as I will.

Rohit says he was drawn to public service by the example of his parents, both of whom are doctors, and viewed their work as more of a calling than a source of income. His dad is a widely respected and well-known teacher at the university level, and his mom worked at a VA hospital.

Rohit wasn't drawn to medicine, but like his folks he wanted to make a difference, and that is what drew him to politics. He got his start by answering phones for the mayor of Dallas, and then translated that into an internship for Phil Gramm's State office after his sophomore year at Duke. After graduating in just 3 years, he took a job in Senator Gramm's Washington office as an LA, and did that for a couple of years before heading off to law school.

The plan was to become a Federal prosecutor. So he moved down to Charlottesville, stayed there for a clerkship on the Fourth Circuit, and then saw his plan go up in smoke when he called Senator Gramm for career advice. Rohit told him what he was thinking, and Senator Gramm listened. Senator Gramm then told him he thought it would be a much better idea if he came back to the Senate and worked for him instead. Senator Gramm can be pretty persuasive. Rohit agreed, and he has been here ever since.

It wasn't a straight line. About a month after Rohit got here, Gramm announced he wasn't running for reelection. Over the year that followed, Rohit impressed a lot of folks. It wasn't long before Senator Lott picked up the phone and asked him if he would join him in the leader's office. Rohit accepted, and then spent pretty much his entire time there figuring out how to get the Department of Homeland Security up and running in such a way that it wouldn't be hamstrung by union rules.

Over a holiday weekend in late 2002, he got a taste of things to come. President Bush wanted DHS approved, so Rohit and a few other key staffers had a holiday weekend to do it. They started writing the bill on a Thursday night and wrapped it up by Tuesday morning.

Rohit stuck around during the Frist years, gaining even more experience and impressing even more people—including me. When Leader Frist left at the end of 2006, I brought him onto my leadership team, and it has been one of the best hiring decisions I have ever made. As I said, he has been an extraordinary help to me and a great guy to have around. He is not only whip smart, but he has a fantastic sense of humor and work ethic like I have never seen.

I thank Rohit for his dedication and service to me and to the Senate. Since

this is the only opportunity I have ever had to do this, I want to thank Hilary for letting us have him for this long. I think she is here today. I know how supportive she has been of Rohit staying here for so long, and so I want to thank her for that and apologize for all the canceled trips and lost weekends. I know it wasn't always easy to see it in the moment, but he has made an enormous difference not just to me but our country.

I can't promise the transition will be easy. He might want to find a good 10-step BlackBerry recovery program when we finally take it away from him, but I am sure he will figure it out.

With that, I wish Rohit all the best in the future. I know he has a bright one. I understand he will be unemployed after the weekend, but I expect that won't last long.

Rohit, if you ever want to come back, we always have a place for you. Thanks, buddy.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2014

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 1243. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 1243) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes.

Pending:

Murray (for Cardin) modified amendment No. 1760, to require the Secretary of Transportation to submit to Congress a report relating to the condition of lane miles and highway bridge deck.

Coburn amendment No. 1750, to prohibit funds from being directed to Federal employees with unpaid Federal tax liability.

Coburn amendment No. 1751, to prohibit Federal funding of union activities by Federal employees.

Coburn amendment No. 1754, to prohibit Federal funds from being used to meet the matching requirements of other Federal programs.

Murphy amendment No. 1783, to require the Secretary of Transportation to assess the impact on domestic employment of a waiver of the Buy American requirement for Federal-aid highway projects prior to issuing the waiver.

The ACTING PRESIDENT pro tempore. The Senator from Kentucky.

AMENDMENT NO. 1739

Mr. PAUL. Mr. President, I ask unanimous consent to call up amendment No. 1739.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 1739.

Mr. PAUL. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To redirect certain foreign assistance to the Government of Egypt as a result of the July 3, 2013, military coup d'état)

At the end of title I, insert the following:
SEC. _____. (a) Congress makes the following findings:

(1) On June 30, 2012, Mohamed Morsi was elected President of Egypt in elections that were certified as free and fair by the Egyptian Presidential Election Commission and the United Nations.

(2) On July 3, 2013, the military of Egypt removed the democratically elected President of Egypt, arrested his supporters, and suspended the Constitution of Egypt. These actions fit the definition of a military coup d'état.

(3) Pursuant to section 7008 of the Department of State, Foreign Operations, and Related Programs Act, 2012 (division I of Public Law 112-74; 125 Stat. 1195), the United States is legally prohibited from providing foreign assistance to any country whose duly elected head of government is deposed by a military coup d'état, or removed in such a way that the military plays a decisive role.

(4) The United States has suspended aid to countries that have undergone military coups d'état in the past, including the Ivory Coast, the Central African Republic, Thailand, Mali, Fiji, and Honduras.

(b)(1) In accordance with section 7008 of the Department of State, Foreign Operations, and Related Programs Act, 2012 (division I of Public Law 112-74; 125 Stat. 1195), the United States Government, including the Department of State, shall refrain from providing to the Government of Egypt the assistance restricted under such section.

(2) In addition to the restrictions referred to in paragraph (1), the following restrictions shall be in effect with respect to United States assistance to the Government of Egypt:

(A) Deliveries of defense articles currently slated for transfer to Egyptian Ministry of Defense (MOD) and Ministry of Interior (MOI) shall be suspended until the President certifies to Congress that democratic national elections have taken place in Egypt followed by a peaceful transfer of power.

(B) Provision of defense services to Egyptian MOD and MOI shall be halted immediately until the President certifies to Congress that democratic national elections have taken place in Egypt followed by a peaceful transfer of power.

(C) Processing of draft Letters of Offer and Acceptance (LOAs) for future arms sales to Egyptian MOD and MOI entities shall be halted until the President certifies to Congress that democratic national elections have taken place in Egypt followed by a peaceful transfer of power.

(D) All costs associated with the delays in deliveries and provision of services required under subparagraphs (A) through (C) shall be borne by the Government of Egypt.

(c) Any amounts retained by the United States as a result of implementing subsection (b) shall be made available to the Secretary of Transportation to carry out ac-

tivities under the heading "BRIDGES IN CRITICAL CORRIDORS".

Mr. PAUL. A once great city, Detroit, lies in ruins with 50,000 feral dogs roaming the city, and abandoned houses litter the landscape. It is a bleak and forlorn future that awaits Detroit. Creditors clamor for nearly \$20 billion in debt. City employees wonder if they will be paid. There is not enough money to even replace the street lights in Detroit. God forbid that a major fire should break out.

At some level I think the President does care about Detroit, but today all I can see is the billions of dollars—the billions of American tax dollars—that he chooses to send overseas. I see the shiny new technology, America's best, going to arm people who are indifferent to us, and, at worst, hate us. The President sends billions of dollars to Egypt in the form of advanced fighter planes and tanks. Meanwhile, Detroit crumbles.

Chicago is a war zone. More people died in Chicago this year than in Afghanistan. Yet the President insists on building a \$34 million fort in Afghanistan. Hillary Clinton insists on spending \$80 million on a consulate in Afghanistan that will never be used. As Detroit decays, Chicago is a maelstrom of violence, yet no one questions sending billions of the taxpayers' dollars to Egypt, to despots, to dictators in foreign countries.

Our Nation's bridges are crumbling and few politicians from either party will question the billions of dollars that are being sent overseas while our Nation's infrastructure is crumbling. The law is very clear. Everyone here in Congress can read. They recognize that the law says when there is a military coup, the aid must end.

Today we will vote on whether they will obey the law or whether they will openly flout the law and disobey. When a military coup overturns a democratically elected government, all military aid must end; that is the law. There is no Presidential waiver. The law states unequivocally that the aid must end.

When the military coup occurred in Egypt, how did the President respond? How did Congress respond? The President and his cohorts in Congress responded by shoveling good money after bad into the failed state of Egypt. The President is intent on building nations abroad and not taking care of our Nation here at home. I propose that we take the billion dollars that is now being illegally given to Egypt and spend it at home.

We have bridges crumbling at home. Can't we fix some of our problems at home? We have had a bridge collapse this year in Washington State. We had one collapse in Minnesota a few years ago. We have a bridge in northern Kentucky that is becoming increasingly unsafe. Yet there is not enough money to repair our bridges because our politicians are sending the money overseas. It is unwise, and right now it is illegal.

Countries such as Egypt are getting billions of dollars in aid. Meanwhile, they recently let a mob advance and climb atop our Embassy and then burn our flag. I say not one penny more to these countries that allow mobs to burn our flag.

In between cashing our checks, Egypt finds time to convict 16 Americans on trumped-up political charges. Fortunately, the Americans were able to escape. If they hadn't left the country, we would have 16 Americans in prison in Egypt. Luckily these Americans were able to get out of the country.

How do these establishment politicians respond? How will the other side respond today when they get up and plead we should break the law? What will they say about Detroit? What will they say about Chicago? What will they say about the bridges in northern Kentucky that will not be built because we are sending the money to countries that are burning our flag?

I think it is unwise to send arms—particularly advanced arms—into the chaos of Egypt. I fear one day someone may arise in Egypt who says: Let's attack Israel with these planes. Let's attack Israel with these tanks. I fear these weapons we are giving to Egypt may someday be used against America and our allies.

Even the Egyptians don't want our aid. There was a Gallup poll last year which showed that 70 percent of Egyptians don't even want the money we are sending them. To understand why we have to understand that American aid doesn't go to the Egyptian people; it goes to the despots and the dictators who run the place. We have to realize that when protesters gather in Tahrir Square in Cairo by the hundreds of thousands—and even millions—why they are unhappy with America. They are unhappy with America because they are being sprayed with tear gas bought with American tax dollars, manufactured in Pennsylvania, and given to the Mubarak family or given to the military. Why are they unhappy? Foreign aid doesn't go to foreign people; it goes to foreign despots and foreign dictators. Foreign aid is more likely to buy a lavish chateau in Paris than it is to buy bread in Egypt.

We send money to Egypt and it buys private jets for the Mubarak family to fly to Europe. The Mubarak family is said to have stolen billions of dollars of American aid. Over the past 30 years, Americans have been forced to finance the Mubarak family living large. So when we see pictures of depression in Detroit, when we see abandoned housing in Detroit, when we see boarded up housing, when we see 50,000 feral dogs running through the streets of Detroit, when we see a once great country, a once great nation, a once great city lying in decay, we think of our politicians who chose to send that money to Egypt and not keep it here at home.

As the money is stolen and squandered around the world and as Detroit decays, as Chicago is overrun with violence, as Americans struggle to put

food on the table, Mubarak and his family dine on caviar and champagne. As Mubarak flew to Europe for weekends on his jet and lived the life of a king, his people rotted in jail indefinitely, without charge, without trial. They have been living under martial law for 30 years. We wonder why they are unhappy with us. We have been financing the guy who has been giving them martial law and indefinite detention without trial for 30 years. To add insult to injury, when they protest against their government, they are doused with tear gas made in our country.

Foreign aid doesn't go to foreign people; it goes to foreign despots and dictators.

The President claims he feels our pain. The President says he can feel the pain and he wants to help the middle class. But it seems as though he wants and intends to help foreign people, foreign countries more than he wants to help America. The President promised us hope and change, but the more he claims that things change, I think the more they stay the same.

I wanted to believe the President would be different. I wanted to believe he would bring change. I wanted to believe he would stand up to the arms race, to the military industrial complex; that he would stop the flow of arms to despots and dictators across the planet. But hope and change just turned out to be a slogan. In Detroit and in Chicago and in the once great cities of America, no change came. Hope and change was just a slogan. The poverty, the murders, the abysmal schools, they continue.

Where are you, Mr. President? In our hour of need in our country, why are you sending our money to people who hate us? Why are you sending arms to countries that don't like us or our allies? Why would we do that?

The President maintains he will end the war in Afghanistan, and I support him. But he insists on fighting new wars, secretly, without congressional approval, in Libya and Syria. While Detroit decays and descends into bankruptcy, the President, as did so many Republicans before him, continues to send American tax dollars overseas to countries that persecute and kill Christians. Hope and change—I guess it was just a slogan.

The law clearly states that when there is a military coup overturning elected government, the military aid must end. Even the President doesn't dispute the law. He doesn't even dispute it is a coup. He just says, I am not going to say it is not a coup or it is a coup; you can't make me. It is ridiculous to any intelligent person or country—and I wonder if anyone on the other side will stand and say it is not a coup. How do we say, when the military takes over a country and boots out a government, that it is not a coup? Only a fool or a demagog would attempt to argue that the military junta in Egypt is not a coup; that the

military takeover that actually installed the lead general as Deputy Primary Minister is somehow not a coup.

Mr. INHOFE. Mr. President, will the Senator yield for a unanimous consent request?

Mr. PAUL. Not yet.

In a remarkable bit of sophistry, the President admits the law does not mandate an end to military aid when a coup takes place—he says it does, but he says it can't make him decide, so he is not going to decide whether there was a coup. What it is, is brazen and open flouting of the law.

The President's argument reminds me of a third grader at recess. A third grader says he will not call it a coup and you can't make him. That is absurd. We passed a law. It is the law of the land. It says if a coup happens, if the military takes over or participates in a substantial way in removing an elected government, the military aid ends. We are either a nation of laws or we are not.

When the President refuses to acknowledge it is a coup or that it is not yet an acknowledged coup, he says the aid is going on indefinitely and he will go on indefinitely flouting the law.

Americans should be outraged and insulted by such blatant shirking of the law. Either we are a nation of laws or we are not. Will we obey the law?

We have the presumption to tell the world how to behave, to criticize Egypt for not obeying the rule of law—all legitimate concerns. Yet the President blithely ignores our own law. If we choose to ignore our own laws, can we, with a straight face, preach to the rest of the world about the rule of law? I think by openly flouting our own laws we take away from our ability to lead the world, we take away from our moral authority to show the right way. America has always been the leader by example. But how do we lead by example when we are not willing to obey our own laws?

There is a question: Are we a monarchy or a republic? Are we to be ruled by caprice? If we pick and choose which laws to obey, what message does that send?

I say to all Americans—Democrats, Independents, and Republicans—enough is enough. We aren't going to take it anymore. We should call our representatives and tell them enough already. Tell them to take care of our country. Tell them not one penny more to countries that are burning our flag.

I suggest today we do something historic and listen to the American people. The American people don't want good money after bad shoveled and sent overseas; they want to fix some of the problems we have at home. They want to do some Nation building here at home.

My amendment will give our representatives a chance to vote. We are going to say: Yes, we will obey the law. We are not sending any more weapons to Egypt and we are going to take the money and we are going to build some

bridges in our country. We are going to repair some roads. We are going to work on some infrastructure here at home.

Everybody seems to say they are for it. In fact, the President has now come out and said he wants some grand bargain to take some new money and actually work on infrastructure. Mr. President, it is right here. I am offering it today.

I have another amendment that would say all foreign profit can come home at 5 percent. We can take that revenue and build new bridges. They will not even let me vote on that one. So the President's grand bargain to increase infrastructure spending—I have it. It is on the floor.

Mr. President, call the leadership of the Senate. Tell them it is on the floor and you support this; that you want infrastructure spending. I have a bill that would do precisely that. This amendment will do a little bit in that direction. Take the \$1 billion we spend in Egypt and spend it in America.

When we see the pictures on the news of what is going on in Detroit—if you live in Detroit and you are suffering through the bankruptcy of your city; if you see around you the chaos and poverty of Detroit, you call the President and say: Mr. President, why are you sending that money to Egypt? Why are you sending money overseas when our Nation is crumbling, our cities are crumbling, our infrastructure is crumbling, our bridges are crumbling? The President says: I am going to send that to Egypt. I am going to send that overseas.

This amendment will give everyone a chance to put their money where their mouth is, to say: Do you care about America? Do you care about repairing American infrastructure or do you care more about sending money to a dictatorship in Egypt? I think the choice is clear. I think, if we ask the American people, three-fourths or more of them—I think maybe nearly 100 percent of the American people—are with me. Let's spend that money at home. Let's not send that money overseas to people who hate us, to people who burn our flag. Keep it at home.

There is a finite amount of money. We can't do everything. We can't fix everything if we have to fix everybody else's problems first. Let's address some of the needs we have at home.

I encourage a "yes" vote, to vote to keep the money at home and not to send it overseas.

I reserve the remainder of my time.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, regretfully, I am going to oppose this amendment. I am going to have to cover some points which my good friend from Kentucky made that I think are totally wrong.

First of all, I don't agree we need to be going up there with Federal dollars bailing out cities that are having problems. Of course, that is a decision that

is going to be made, I suppose, by a lot of people.

Also, the Senator from Kentucky talks about sending billions of dollars overseas. I agree with my colleague from Kentucky about some of the foreign aid and I would join with him but certainly not in this case. Before I tell my colleagues why, let me clarify something. There are Members of this body and people outside this body who are conservatives believing this is some kind of a conservative program to defund the military in Egypt. Let me assure my colleagues it is not. This is coming from a person who is probably—in fact, I am certain of it. I have been ranked as the most conservative Member of this body more than any other single person. So this is coming from a conservative, not from a liberal and not from a Democrat.

We have a unique situation. I wish to respond to a couple of things my friend from Kentucky said. First of all, yes, it probably fits the description of a coup. I know what the law is. The law says we can't send foreign aid after a coup. I have a bill drawn up right now that if this is determined to be a coup, it could pass the House and the Senate and be signed by the President in 1 day. So that is something that can be done. I have the best of intentions of obeying the law to the letter.

As far as the situation in Egypt, Morsi is gone. Let's face that reality. There are a lot of things we don't like about this. But I will say this: If you have any feelings at all toward our good friends, our best friends in the Middle East—that is Israel—then you cannot consider this amendment. Israel has all of the interests at stake.

It goes back to 1979, the Camp David accords. I remember that very well. The Camp David accords put together something between Israel and Egypt. But keep in mind, it is not Egypt. It is the military, the Egyptian military. They have been our friends. They have been Israel's friends for years and years—since 1979. If we turn our backs on the military now, there are others who would love to fill that vacuum.

Should they have F-16s? I am glad they have F-16s. They ought to have more F-16s. Some have been purchased and not delivered yet. They should be delivered. But if it is not going to be F-16s, if we should pass an amendment like this, you are going to find yourself with a bunch of MiG-29s coming over from Russia instead of our F-16s.

If this were 10 years ago, if this were 15 years ago, I might agree with my friend from Kentucky. But that was before we realized the threats we have in the Middle East. We have some friends in the Middle East. We have Israel. We have Jordan. We have Kuwait, U.A.E., Qatar, Saudi Arabia. If that coalition of friends in the Middle East breaks up, what can happen to us here in America? Our intelligence has said—and it is unclassified since 2007—that Iran will have the capability of a weapon and a

delivery system by 2015. If we do not have our friends in the Middle East to keep that from happening, we could pass an amendment like this, turn our backs on Israel, and that is exactly the thing that could happen.

I know a lot of people want to talk on this who are a lot more articulate than I am. But I can say from a conservative—from this conservative—we cannot do this to our friends in Israel and our other allies in the Middle East.

Mr. CORKER addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee is—

Mr. CORKER. I want to go in the appropriate order. I see the chairman of the committee. I would like 5 minutes at some point. But does the Senator want to go ahead?

Mr. MENENDEZ. Mr. President, what is the parliamentary situation? I understand the opponents of this amendment have 30 minutes; is that correct?

The ACTING PRESIDENT pro tempore. The Senator is correct. The Senator from Oklahoma has used 5 minutes of the time in opposition.

Mr. MENENDEZ. Then I ask unanimous consent that as the chair of the Senate Foreign Relations Committee I control the remainder of the time.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from New Jersey is recognized.

Mr. MENENDEZ. Mr. President, I—

Mr. MCCAIN. Mr. President, will the Senator respond to a question? How is the time going to be allocated?

Mr. MENENDEZ. Yes. It is my intention to consume about 8 minutes approximately, to yield Senator MCCAIN 6 minutes, Senator GRAHAM 6 minutes, and Senator CORKER 5 minutes.

Mr. CORKER. Perfect.

Mr. MENENDEZ. That should take the remainder of our time.

Mr. President, this amendment may be good politics but it is bad policy. I appreciate the concern of the Senator from Kentucky for Detroit. He and others in this Chamber have had plenty of times to vote for America's cities, but I have not seen those votes be there.

Nothing in this amendment, notwithstanding what we heard, suggests that cutting all aid to Egypt ultimately means putting that money into the cities of America, such as Detroit. So let's not be mistaken about that.

I share many of the concerns that have been raised by my colleague today about the situation in Egypt. I believe, however, halting all military assistance to Egypt at this time is misguided and it is shortsighted. It would drastically reduce U.S. influence with both the interim government of Egypt and the military at an incredibly delicate time for Egypt and its people. And in so doing, it may in fact undermine our shared goals and desire to see elections and a democratically elected government reestablished in Egypt as quickly as possible.

It has been just a little more than 2 years since the onset of the Arab spring and a revolution in Egypt that unseated Hosni Mubarak after two decades in power. During these tumultuous 2 years, Egypt has struggled as a society with the transition to democracy that its people clearly want, and with efforts to create the economic opportunities that its people clearly need. That struggle is real and ongoing.

The demonstrations that ousted Mubarak in a clear military coup were unprecedented—until they were eclipsed by demonstrations this summer which drew as much as a third of Egypt's population of 83 million people onto its streets. That is more than 30 million people who have been emboldened by the revolution, who are united in their call for reform and democracy, and who have embraced their ability and right to peaceful protests and to demand change.

If you think about it, a comparable protest in the United States involving a third of our Nation would mean that 100 million Americans would be on the streets of the cities of America. That is the equivalent of what has been happening in Egypt.

So my point is that Egypt is changing but perhaps not as quickly as we would like and with a process that has been, not surprisingly, pretty chaotic.

Abandoning our diplomacy and engagement with Egypt—a country that sits at the heart of the Middle East—because the road that leads to change is not straight or certain would be naive. It might make us feel good, at least for a moment, but in the long run it would threaten to undermine vital national security interests and set back our values.

Making such a significant change to U.S. foreign policy—with all the potential implications for U.S. national security and for our ally Israel—should not be done in haste. It should not be done carelessly or thoughtlessly. It should not be done without a full understanding of all of the ramifications of such a change. And it certainly should not be tacked onto the Transportation, Housing and Urban Development appropriations bill. It is far too important a decision to be an afterthought to an appropriations bill. In my view, it is ill-advised to make foreign policy on the fly without due consideration of all of the consequences.

I would point out that my friend from Kentucky has introduced an identical bill that has been referred to the Foreign Relations Committee. Last Thursday the committee held its first extensive hearing on the crisis in Egypt. I can assure my friend from Kentucky that the committee will continue to work on this issue and to look at appropriate policy options through a deliberative process.

We need time to determine whether the process underway in Egypt will meet the demands of the Egyptian people and lead back to democracy or if

the military leadership will dig in further and thereby invoke restrictions in U.S. law with respect to assistance. Our patience is not unlimited and our assistance is not without limitations. The administration is already actively reviewing U.S. assistance.

The delivery of four new F-16 aircraft that was to occur last week was halted by the administration, clearly sensitive to the situation. At the end of the day we should allow for flexibility to deal with this delicate situation as events dictate, not precipitate an unwanted response with a knee-jerk reaction rather than deliberative reflection. The administration has a process to make its decisions.

I would say this is about—as I listen to the Senator from Kentucky—far more than Egypt. He basically opposes all foreign assistance abroad. The reality is that foreign assistance abroad has worked for the national interests and security of the United States. It has saved millions of lives through PEPFAR against AIDS and HIV. It has helped strengthen democracies. It has helped create democracies. It has helped create open markets for American products and services. As a matter of fact, these sales to Egypt—about \$1.2 billion—are largely from the manufacture of equipment here in the United States that creates jobs here at home and then ultimately gets used in Egypt.

We need a more nuanced approach, one that speaks to both our values and our interests, and one which provides the President with the flexibility needed to conduct delicate and discriminating policy in a challenging and chaotic environment.

A quick end to aid at this time—meat-cleaver approach, when a scalpel is needed—is simply ill-advised.

Last week Ambassador Dennis Ross, whose reputation and experience as a diplomat, Presidential adviser on the Middle East, and author, has made him one of the Nation's most respected foreign policy minds on both sides of the aisle, told the Foreign Relations Committee it is imperative that America "stay in the game." We cannot and should not pull out now. Ending aid to Egypt would only cause Egyptians to shut the United States out of discussions and disregard our advice. Ambassador Ross also said that such an action could be the only thing to unite all Egyptians across the entire political spectrum against the United States—against the United States. In fact, that opinion was shared by the majority panelists who feared our inability to influence events in Egypt if we were to step out of the game.

In the interim, as we further assess the situation, our response and our policy must be carefully calibrated to press for the democratic reforms that the Egyptian people have demanded and—simultaneously—support U.S. national security interests in the region.

U.S. assistance to Egypt has, for decades, helped support the Camp David

Accords. It also supports our security interests in countering trafficking of weapons and people into the Sinai, and in antiterrorism cooperation with the United States.

In recent weeks, Egypt's military has launched a major crackdown on terrorist activity and extremists in the Sinai Peninsula, carrying out arrests and attempting to seal smuggling tunnels connecting the Sinai to Gaza. U.S. cooperation is essential to the continuation of these activities.

Let me conclude by saying, at the end of the day, Egyptian leaders and the Egyptian military must show that they are committed to an inclusive political process, credible democratic elections, and democratic governance that protects the rights of religious minorities, women, civil society leaders, and a diversity of political parties.

That includes, from my perspective, vacating the June 4 verdicts for the 43 individuals convicted in the politically motivated trial of nongovernmental organization workers, including 16 Americans, and permitting civil society organizations to reopen their offices and operate freely. It also clearly means an immediate cessation of arrests and use of force against peaceful protestors.

Steps that exacerbate the divide in Egyptian society, including the use of force against protestors and arrests and harassment of pro-Morsi and Muslim Brotherhood leaders, serve only to deepen the chasm and forestall reconciliation.

The only way forward to a pluralistic, vibrant, and stable democracy lies in the inclusion of all political parties and groups, as long as they are committed to a democratic process and to peaceful change.

The United States has to move cautiously, not precipitously, in this delicate situation. The Paul amendment is not the answer when it comes to our future relationship with Egypt. The future of that relationship will be determined by our actions in the coming weeks.

Whether we will have a stable and willing partner on crucial matters of security, combating terrorism, trafficking of weapons and persons into the Sinai, and support for peace in the Middle East is up to us or we can stand aside and hope for the best. I think abandoning Egypt is a particularly poor choice. That is why I oppose the amendment and urge my colleagues to do the same.

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. Mr. President, I have a couple unanimous consent requests. I would also say this: This is an important debate, and I ask unanimous consent that—on the floor now we have CORKER, we have MCCAIN and GRAHAM—I ask unanimous consent that if they use more than the allotted time here they be allowed to use that, and whatever time goes over that allotted time we have in the existing order would also be given to Senator PAUL.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that at 1 p.m. today, the Senate proceed to executive session to consider Calendar No. 201, Todd Jones, to be Director of ATF; that there be 1 hour for debate equally divided in the usual form prior to a vote on cloture on the nomination; that if cloture is invoked, all postcloture time be deemed expired and the Senate proceed to vote on the confirmation, with no intervening action or debate, the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nomination; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that upon disposition of the Paul amendment, the Senate recess until 1 p.m. today; further, that the filing deadline for first-degree amendments to S. 1243, the transportation bill, be 1:30 p.m. today; finally, that when the Senate resumes legislative session following consideration of the Jones nomination, the Senate proceed to a period of morning business for 1 hour equally divided between the two leaders or their designees, with Senators permitted to speak for up to 10 minutes each, with the exception of Senator INHOFE, who is to be recognized for up to 30 minutes; that following the period of morning business, the Senate proceed to executive session to consider the Power nomination under the previous order.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, what this means is we will vote on the Paul amendment, give or take, in a half-hour, at around 11 o'clock, or shortly thereafter, whatever time the order allows, and we will then recess until 1 p.m. Then we will have the debate on the Jones nomination from 1 p.m. to 2 p.m., then the cloture vote at 2 p.m. If cloture is invoked, we will immediately vote on confirmation. We could have two votes at 2 p.m. We will have morning business from around 2:45 p.m. to 3:45 p.m., and then the Power nomination—to be U.N. Ambassador—debate from about 3:45 p.m. to 5:45 p.m., and then the vote on confirmation at around 5:45 p.m.

The ACTING PRESIDENT pro tempore. The Senator from New Jersey.

Mr. MENENDEZ. I yield to the distinguished ranking member of the Senate Foreign Relations Committee, Senator CORKER.

Mr. CORKER. I will be brief. I know that time may be extended. But let me

start by saying I understand how citizens across our country are frustrated. Our country has gone through financial distress. We have economic issues that are impacting people of all walks of life. I know as they look at what is happening around the world, there is frustration, generally speaking, with issues relative to foreign aid. I understand that.

I also understand we are a nation of laws. We have had an event in Egypt which is going to cause us to have to deal with that. I think we can deal with that in due time and live up to the laws of this Nation. I also understand, though, that we are the greatest Nation on the face of the Earth. One of the reasons we are the greatest Nation is because of the values we extend around the world and the fact that we have been a voice of calm.

We have been a country that has tried to continue to engender peace. I know the Senator from Kentucky and I share Fort Campbell, a place where some of our most outstanding fighting men and women are based. I know the Senator understands that much of what we do with foreign aid is to try to keep those men and women off the battlefield and in training. We do that to try to keep peace and to keep those men and women who protect our country from having to go to war.

The distinguished Senator from New Jersey just talked about the importance of Egypt. From the very beginning, when this all began just within the last month or 6 weeks, I have believed that the administration, candidly, has handled this well; that our Nation should be the voice of calmness. We should try to be the steady hand that allows this transition to occur in the right way.

At the same time, we should push them toward democracy. I think that is exactly what we are doing. We have had a debate throughout this week in our lunch sessions among Republicans. I know the Senator from Kentucky has made it clear that the poll numbers indicate we should cut off foreign aid. I want to say that we have tremendous responsibilities as Senators. One of the responsibilities we have, no doubt, is to represent our citizens.

On the other hand, we know that sometimes we understand that we should sell to the citizens the reasons that we do the things we do on this floor. I think most people in this body understand that just on a THUD bill, having an amendment that cuts off aid to Egypt is not a thoughtful process as it relates to foreign aid.

My appeal today is really not to my friends on the other side of the aisle, although I am sure some of them are contemplating what to do. But my appeal is to my friends on this side of the aisle. I have talked to many of them in private. I think many of them know this is terrible public policy.

No doubt, without us explaining to the American people why we should not jerk the rug out from under Egypt

as they go through this transition; no doubt, without us sharing the importance of that, the American people are going to look at aid to Egypt and see what is happening there and say: No, let's take that money and let's do something else. I think most people on this side of the aisle understand that is terrible public policy. I think most people on this side of the aisle want to stand and to be thoughtful Senators and do not want to have a poll-tested foreign policy.

We are going to have plenty of time to debate this issue in September. I think all of us know a lot is going to be happening during the recess. We have two Senators who are traveling to Egypt over the weekend to look at what is occurring there. I am going to be in the area in a few weeks.

It seems to me, as the greatest Nation on the face of the Earth, instead of having some poll-tested amendment that may play well in the short term, what we should do as Senators is be thoughtful, understand the greatness of this Nation, understand the millions of lives and livelihoods that are at stake in us being a calm hand in Egypt, understanding the impact that this is going to have on people all around the world and certainly our standing in the world, but our continued ability to help promote human rights, promote democracy, promote peace, promote calm.

So I would just urge the Senators on our side of the aisle, we have these things that come up, and we certainly have groups who come forth. I think all of us understand that is a big vote. This is a vote that says a lot about who we are as Senators. This is a vote that gives us an opportunity to step away from those short-term, hot, poll-tested amendments that have nothing to do with furthering the greatness of this Nation.

I would urge everybody in this body to stand, to be Senators, and to do what we know is the right thing to do; that is, to be calm, to address this issue as we should in the right way this September when all of us have more information to deal with this issue.

I thank the Presiding Officer for the opportunity to speak. I hope this body will rise and conduct themselves as the Senate should on issues of this importance. I thank the chairman for the time.

I yield the floor.

The PRESIDING OFFICER (Ms. HIRONO). The Senator from New Jersey, Mr. MENENDEZ, I yield 3 minutes to the Senator from Florida.

Mr. RUBIO. Madam President, let me just say briefly that I have gotten a lot of calls about Egypt as well. Look, I understand it. We look at what is happening over there, we look at some of the wild things that are happening in the streets, certainly tragedies as well. We see the oppression of religious minorities, and we wonder: Why do we continue to give aid to a country that does that? I think that is a very important question.

I think the problem we face is we in this place are sometimes put into a position between two absolutes, when there are other options available to us. The choice before us is not to cut off aid to Egypt or to continue aid to Egypt. I think the opportunity we have now is to restructure aid to Egypt in a way that furthers our national interest.

What is our national interest in Egypt? Our national interest is to have a secular, stable, democratic government that provides security so their economy can grow, a government that lives up to the Camp David Accords, that cooperates in counterterrorism, that prevents discrimination to religious minorities. Our foreign aid should be restructured—not simply canceled but restructured—so that it fits and fills that aim that we have for that country and for our national security interests in that country. That means we should restructure our foreign aid, not simply eliminate it but go back to the Egyptians and say: If you want to continue to get foreign aid from the United States, you are going to have to show measurable improvement on these four things: You are going to show us how you are protecting religious minorities; you are going to have to show us how you are advancing toward democracy and stability. You are going to have to show how you are doing these things. That needs to be measured. If they stop doing it, the aid stops coming.

I would also say regarding restructuring the aid that the aid should be geared toward what they need. They probably do not need that many for more F-16s. What they need is more capacity building for internal security. What they need is more capacity building to live up to the Camp David Accords. That is what they need. Our aid should be aimed toward that.

I also think it is a mistake to just say we are eliminating aid completely because if we eliminate aid completely, we lose leverage. They are still going to buy weapons. They will just not get them from us and our influence will be diminished.

So I think there is a third way. I think what has happened in Egypt is a unique opportunity to restructure—not to cancel but to restructure—and reframe our relationship with Egypt. If they do certain things, they will continue to get aid. If they move toward certain goals that are in our national interest, they will continue to get aid. They will continue to get aid that helps them meet these goals, not simply anything they ask for.

This is the opportunity we have now. This should be done in a thoughtful and careful way. I hope that is the direction the body will move. I think to simply cancel aid without putting these other conditions in place is a missed opportunity from which we should not walk away.

So I would say to our colleagues, let's not simply cut off aid. Let's take

the time to work so that we can restructure aid with Egypt in a way that furthers our national security interests: a secular, democratic government that lives up to the Camp David Accords, that cooperates in counterterrorism, that respects religious minorities, and that provides the internal security they need to create the economic growth they need so that they can be stable now and in the future and be a partner of ours.

The PRESIDING OFFICER. The majority leader.

ORDER OF PROCEDURE

Mr. REID. Madam President, I ask unanimous consent that the period for morning business following the consideration of the Jones nomination be extended by 40 minutes, with the additional time being equally divided between the two leaders or their designees, with Senators permitted to speak for up to 10 minutes each, with the exception of Senator INHOFE for 30 minutes and Senator MCCAIN for 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I yield to the Senator from South Carolina.

Mr. GRAHAM. I thank the chairman of the Foreign Relations Committee. First, I would like to associate myself with the remarks of the Senator from Florida. Now is the time to be creative with our assistance to Egypt to try to change things while there is still hope of things changing in a positive direction.

I certainly understand. Why should we be selling F-16s to people who behave this way? The administration has put on hold the four F-16s that were due to be delivered to Egypt, trying to find out what is going to happen next. That makes sense to me. But why are we selling weapons to Egypt? It is because if we do not, someone else will. I want them to have F-16s and come to our pilot training bases. I want Egyptian officers to come to our military training academies. I want a relationship with the Egyptian military that can be beneficial to our national security interests. I want the people who build F-16s in America to get the business from Egypt to get some of our money back.

If they buy MIGs or Mirages we lose that. It is not a question of if they are going to buy fighter planes; it is a question of who they are going to buy them from. We have every right to withhold sales. We have every right to put them on hold temporarily. But to just sever this relationship now would be a huge mistake.

In fairness to Senator PAUL, he says we would resume aid once they get their act together and move back toward democracy. I think that is something worth noting. That is an understanding on his part that he is looking for an outcome that we can be more supportive of. The difference I have is

that if we cut off aid now, then I cannot tell you the consequences of what that would mean in terms of moving in the direction we would all like.

Unintended consequences to the decision jump out pretty clearly in my mind, and most of them are bad. Is it a coup? It certainly looks like one. It certainly sounds like one. But at the end of the day, if we are moving toward democracy and the military steps back and democratically elected leaders take over, I think that is the goal for all of us.

I wish we did not live in a world like we do. I wish things were easier. I wish the Arab Spring had been more successful. But the one thing I can say is that what happens in Egypt really does matter to us. If the largest country in the Arab world, the heart of the Arab world, Egypt, becomes a failed state, I promise you it will affect our national security interests for decades to come. It would be a nightmare for Israel, and it would take the whole region down a path that would be at best chaotic.

Can we prevent a failed state in Egypt? I think we can. I don't know for sure what is going to happen, but I do know this: If America does not try, if we do not stay engaged and shape history rather than observe it, we will pay a heavy price as a nation. So part of this amendment takes money that would be going to the Egyptian military and puts it on projects in the United States. I think one is a bridge in Kentucky. I have no doubt that there is a need for bridges in Kentucky and South Carolina. I would love to get my port deepened.

But to the people of Kentucky and to the people of South Carolina, if we stop the 1 percent of our budget—it is \$50 billion. That is no small sum. But if we cancelled it all out and just left \$3 billion for Israel—it seems everybody likes that idea. If we had \$3 billion to spend on affecting the world, is that smart?

How much of the debt would be retired if we canceled all foreign aid and brought it back into the United States? Not a whole lot. But here is what I believe would happen. If America withdrew our foreign assistance, a lot of bad things would happen to us. Having a say, having influence in a world that is increasingly dangerous seems to me to be a good idea. I am tired of having to resort to the military as the only solution to affect things.

The people in Egypt, the government particularly, wants a relationship with us. They have to earn it, as Senator RUBIO said. But to cut off our relationship with Egypt at this critical time, I think, would be extremely ill-advised, and the consequences to the people of Kentucky and South Carolina and every other State in the Union would be significant.

To my colleagues, when you cast your vote today about pausing, not terminating aid, but trying to reconstruct aid, I don't know how that fits in a 30-second sound bite. It is probably easier

to explain the "no" vote than it is a "yes" vote. But I do know this: Your country would be well served if you decide today to pause and wait to find out the right answer in Egypt.

I do know this: If Egypt goes, the entire region blows up. The biggest fear I have is radical Islamists are closer to getting nuclear weapons and chemical weapons than any time in my lifetime. If Egypt becomes a failed state, that is one more problem for us to have to deal with, rather than focusing on the Iranian efforts to march toward a nuclear weapon.

Radical Islam has not forgotten about us. The question for us is have we forgotten about radical Islam. If we wish to stop this march in the Middle East of radical Islam getting stronger and stronger and stronger, let's try to hang on to our relationship with Egypt. If it becomes a failed state, and the Sinai becomes one of the great safe havens for terrorist groups—and the Egyptian Army, to their credit, is now involved with the Sinai—the cataclysmic effect of a failed state in Egypt would be the biggest boost to radical Islam I could think of. It would do a lot of damage to our national security and our best friend in the region, Israel.

I have a letter from our APAC. I asked them to comment on this. They state:

Dear Senators Menendez and Corker:

We are writing to express our concerns over the Paul amendment to the Transportation/HUD Appropriations bill that would eliminate military assistance and sales to Egypt. We do not support cutting off all assistance to Egypt at this time, as we believe it could increase the instability in Egypt and undermine important U.S. interests and negatively impact our Israeli ally.

As you know, Egypt is the largest Arab state in the Middle East and has played a vital role in advancing key U.S. interests in that region. Citing just two examples, the government of Egypt has maintained the peace with Israel and is taking important steps to address the instability in the Sinai. Events in Egypt are rapidly evolving, and we believe that for now the United States should avoid taking any precipitous actions against Egypt such as cutting off all assistance. We look forward to continuing to work with you on these critical issues.

One final thought: Maybe one day I will agree with Senator PAUL in saying we have to sever our ties with the Egyptian military and the Egyptian people. Maybe one day I will come and cosponsor the Senator's amendment or maybe come up with one of my own.

I can tell you if that day ever comes, it will be one of the saddest days of my life because that would mean Egypt is gone. If Egypt is gone, all hell is going to break loose.

Mr. MENENDEZ. I yield to the distinguished Senator from Arizona, a member of the committee, Mr. MCCAIN.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. May I ask the time situation?

The PRESIDING OFFICER. Under the previous order, the Senator from Arizona has unlimited time.

Mr. McCAIN. Does the Senator from Kentucky wish to respond?

Mr. PAUL. Go ahead.

Mr. McCAIN. Madam President, I think it is important in the context of this amendment on the Transportation, Housing and Urban Development bill that we put into focus what this amendment is really affecting. It is affecting the most important nation in the Arab world, the heart and soul of the Arab world, Egypt. All countries in the Middle East are important, but Egypt is the most important.

In Egypt today there are demonstrations, there are scores of people being killed, hundreds being wounded. This Friday, only 2 days from now, after prayers, there are predictions that there could be even more carnage that will take place as a result of the pro-Morsi people taking to the streets of Cairo and other cities throughout Egypt.

I think we ought to consider this amendment in the context of what is happening in arguably the most important nation in the Arab world. Should we ask ourselves that at this point without adequate hearings, without adequate discussion, without input from the administration, as well as the oversight responsibilities by the Foreign Relations Committee, the Appropriations Committee, the Armed Services Committee, all of whom, chairmen and ranking members, are opposed to this amendment?

First, I caution against a rush to judgment on this issue. It requires, frankly, more than 1 hour equally divided of debate on the floor of the Senate.

I would also like to point out this amendment is part of a larger debate that has been going on in the Republican Party for well over a century. Prior to World War I, there was the isolationist wing of our party. After World War I in the 1930s, there were the America Firsters. After World War II, there was the Eisenhower wing of our party and the Taft wing. The debate has gone on for the heart and soul of the Republican Party.

This debate and this amendment that is posed by my friend from Kentucky is part of that overall debate as to what the role of the United States should be in the world. Should we take our money from Egypt and give it to build a bridge in Kentucky? Should we take our foreign aid and cut it to the point to where we no longer have influence in these countries throughout the world and spend it on much needed projects that are the result of a very ailing and still serious recession in which we still remain?

I think the vote on this amendment has even larger implications than that of whether we should cut off all assistance to Egypt. By the way, my friends, I don't think it is an accident that APAC, our friends there who represent the interests of the State of Israel, have opposed this amendment. If there is further upheaval in the Sinai, and if

there is a collapse of the rule of law in Egypt, I don't think there is any doubt that the threat to Israel is dramatically increased.

I made it clear, and so has my friend from South Carolina, that it was a coup. It was a coup and our law calls for that. But that is an implementation of a law that needs to be done in a way that is in consultation with the Foreign Relations Committee, the Appropriations Committee, and, in fact, all Members of the Senate.

I think it is important for us to send a message to Egypt that we are not abandoning them, but what we are doing is trying to caution them to try to modify their behavior, to tell General Aziz that he has to have an inclusive government, he has to allow the Muslim Brotherhood to partake in the upcoming elections, and the Muslim Brotherhood has to be told that they have to renounce violence.

Right now Egypt is spiraling down into a situation of chaos, which I can promise my colleagues will sooner or later pose a threat to our vital national security interests. The most important nation in the Arab world descending into chaos is going to be a threat to the United States of America.

I urge my colleagues—and I urge my friend from Kentucky, with respect—to realize this amendment would send the wrong message at the wrong time. It may be coincidental, but this Friday is going to be an important day in Egypt. Should we be sending the message to the Egyptians: OK, you are on your own?

Yes, other countries in the region are contributing enormously to the Egyptians without conditions. But the support or condemnation of the United States of America, the best, most free, and still most influential Nation in the world, is of vital importance. At this time, I think it would be a terrific mistake for the United States to send the message to Egypt: You are on your own.

I hope we understand that it is not about U.S. foreign assistance; it is about what serves our interests and our values. This, my friends, is a debate that we need to have over the weeks, months, and years ahead in, probably, one of the best places to have that debate.

I urge my colleagues, no matter how they feel about assistance to Egypt, that we are committed. I urge them to appreciate that we are committed to a long debate about this issue.

I have confidence in the chairman of the Foreign Relations Committee that we will be addressing this issue seriously. The Senator from Kentucky is a member and would certainly take part.

I urge my colleagues to understand that an amendment on the Transportation, Housing and Urban Development-led appropriations bill is not the venue. We need to have this debate not only about Egypt but America's role in the world. I look forward to joining him, but today is not the day to take a

step that could have repercussions over time that will damage the vital national security interests of the United States.

I urge my colleagues to vote to table the Paul amendment.

I yield.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. PAUL. This is exactly, precisely the time it should come up because on the infrastructure bill that we are looking at, this gives Americans the chance to show great contrast. Do you want to do nation building overseas or do you want to do nation building at home? Do you want to spend billions of dollars in Egypt or would you rather build some roads at home?

I think it provides a perfect contrast. In fact, there couldn't be a better place to have a discussion on this issue.

We always hear a lot of empty thoughts and empty promises: Oh, we will do this in committee. We will do this.

They don't want this debate. I have been fighting tooth and nail against Members of my own party to get to this debate, to bring it to the floor, to bring it to the American people.

Let's be very clear about what the amendment does. It halts military aid until they have an election. It is just obeying the law.

Let's be very clear. Maybe we should do a summary of what their arguments are. This is a summary of their arguments: They love sending American money overseas so much that they don't mind breaking the law. I didn't hear one of them explain how they are going to adhere to the law. The law says military aid ends when there is a coup. The President says you can't make him say there is a coup. There probably is a coup, but he is never going to say it, and he is never going to adjudicate it. Who is going to adjudicate whether there is a coup?

This is about temporarily halting aid. Some people rise and say: Oh, we will be closed out, and they will buy their weapons someplace else. They don't have any money. We give them the money to buy our weapons.

Some have said they want to promote democracy. Well, there is an exemption. You can spend as much money on democracy promotion.

Mr. McCAIN. Will the Senator yield for a question?

Mr. PAUL. Not now.

The thing is, we have to understand what this is about. We have to understand this is about a temporary halting of buying weapons. People say: Well, if we don't give them planes, we don't pay them to buy our planes, they will think we don't like them. They will go to war with Israel and everything will be so much worse.

They have hundreds of F-16s. They have thousands of tanks. I am precisely worried about them using them against Israel when there is chaos and blood running in the streets, when there are millions of people protesting.

Do you think it is a good time to send more weapons? Do you think it is a good time to send more weapons when millions of people are in the streets?

What happens if these weapons are used against Israel? The canard of bringing the letter—it always happens. Someone brings in a letter. I have spoken to many people who love, respect, and have a great deal of admiration for Israel. I admire our relationship and alliance and am very proud of the fact that we stand together on so many issues. To bring it up and say the people who are against this don't care about Israel is just a canard.

I think this precisely—continuing to arm an unstable government in Egypt—could well be to Israel's harm. This is precisely why I bring this amendment forward.

Also, it needs to be clear for the record that everyone who has come forward together to send more of your money overseas, to send good money after bad, every one of them was for sending it to the Muslim Brotherhood. We hear them talking about Islamic jihadists and how they are worried about them. No, they are not. They were for funding the Islamic jihadists. They were for funding the Muslim Brotherhood just months ago.

I have had this vote before. I voted to cut off aid to the Muslim Brotherhood also. I have produced an amendment. They all voted against it then because we were going to do this on a more rational, reasonable pace someday, somewhere, in some fictitious committee. No, we are not. They want the money to continue. It doesn't go to the Egyptian people. It doesn't buy good will. It buys ill will. Do you know what the money is spent on? Tanks. Tanks roll over people in protest.

I have no love lost for the Muslim Brotherhood, but they have disappeared them. We are going to be giving money to the military that is disappearing people. No one has heard from President Morsi. Most people think he was actually elected in a fair election. I don't agree with radical Islam. I don't think he would be a good President for any country. I wouldn't give him any money. But we are going to give money to people who make people disappear?

Does anybody remember the Soviet Union? These same people stand and say how bad it is the Soviet Union makes someone disappear. I am absolutely with them. I support that. It is terrible. That is what the military in Egypt is doing—making people disappear. Most of the members of the government haven't been seen in days, maybe weeks. We have no idea where they are.

Once again, let me be clear. I have no sympathy for them. I don't want to give them money either. But all these people who want to fund the military, they all want to fund the Muslim Brotherhood. The only thing consistent about their argument is sending your money to other people.

There is a finite amount of money. Detroit lays in ruins, Chicago is full of violence, and there are bridges everywhere. Don't let them paint this that I have some special thing in Kentucky. There are no earmarks. There is no special money going to Kentucky. This is going into the Transportation bill for the whole country.

There is actually nothing in here special for Chicago or Detroit, but I point it out that we have problems at home. Maybe we should do some nation building here at home.

The other side will falsely say: Oh, you want isolationism. You want to disengage from the world. Hogwash. I want to be involved. I am for being involved with Egypt. I am for trade. I am for international and global interaction and diplomacy and all those things. But do you think you are making the world a better place by sending a few more F-16s and tanks and tear gas to Egypt? Do you think that is somehow making the world a safer place? No.

If I thought the foreign aid was going to do something good, I might be for it. Mubarak and his family fly on private jets, dine on caviar and champagne. Your money is more likely to buy a chateau in Paris for the Mubarak family than it is to buy bread for the people of Egypt.

They say: Oh, well, the Egyptian people will not like us anymore if we don't give them money. Seventy percent of the Egyptian people have said they do not want our money. It doesn't go to them. The people, by the millions, are rioting in Cairo. By the hundreds of thousands they are rioting in Tahrir Square. They are not rioting for American aid. They are rioting for us to quit giving aid to the despots who rule them.

Mubarak ruled for 30-some-odd years. He ruled by martial law. He made people disappear also. What about human rights? What about dignity? What about trials they just recently—the Muslim Brotherhood—tried 16 Americans in absentia. If they were there, they would have put them in jail. Yet all these same people are afraid to take away money.

How do you think leverage would best work? How would we have leverage? Maybe if we withheld some aid, we would have leverage. But if you give them everything they want all the time, any time, do you think they are going to do something differently? They say the definition of insanity is doing the same thing over and over and expecting a different response. We have given the aid for 30-some-odd years.

We gave a dictator in the Congo—Mobutu—aid for years and years. They called his wife Gucci Mobutu. Why? Because she would take a Louis Vuitton bag, full of about \$1 million in cash, to Paris and spend it in a weekend—your money, our money, spent on lavish homes. Mobutu had seven palaces. I think Mubarak has six or seven palaces. They steal the money. It doesn't

buy the good will of the people. It actually buys ill will. It does completely the opposite of everything they say it does. It does completely the opposite.

So there is a disagreement on this. But the one thing there is not a disagreement on is that it is against the law. The Republican Party maintains: Oh, we are for the rule of law, and we proudly beat our chest all the time and say to Democrats: Oh, you don't want the rule of law; the President disobeys the rule of law. Guess what. This time many Democrats and Republicans will flout the rule of law because the rule of law says military aid ends when you have a coup. It doesn't say you can wait around until it is convenient for you and maybe you can parcel out the aid in different ways. It doesn't say that. It says military aid ends until there is an election. It is very clear about this.

So the argument is about whether you believe in the rule of law. If you do, there is no question you have to vote for this amendment because this amendment simply restates the law. I am not even creating the law. I am just restating the law that says aid ends and it resumes when there is an election.

So those who say he is against all aid, don't listen to him, he is against all aid, that is not what this amendment does. This amendment enforces the law that actually every one of these men and women voted for. They voted for this law. It has been on the books 30-some-odd years, and the law says that aid ends when you have a military coup. So they are all going to vote to bypass a law they have all supported. Every one of them supported this law.

This isn't some extreme position of no aid; this is a position of temporarily halting it. It is their plan, but it is not convenient now to obey the law they passed.

This is an important debate. It is not about doing things to harm Israel; it is about doing things that, actually, I think would be beneficial to Israel. It is not about ending all aid; it is about obeying the law. It shouldn't be about whether aid is good or bad. I think there are a lot of bad things and unintended consequences that come from the aid, but it is not about that. It is about whether we are going to obey the law.

I say think long and hard about this. Some say they are going to do something more important than what their people at home want, and they are very proud they are going to stand against the will of the people. Three-fourths of Republicans, three-fourths of Democrats, and three-fourths of Independents or higher think it is a bad idea to be sending good money after bad overseas. We do have problems at home and this could go toward fixing them.

Some say it is only 1 percent. Foreign aid is only 1 percent. Guess what. If you cut 1 percent of the budget each year, the budget balances within about

5 years. It is called the penny plan. Many on my side have actually endorsed this plan. So 1 percent isn't an insignificant amount of money, and it is not working. It is doing the wrong thing.

So I urge a "yes" vote on the amendment.

I retain the remainder of my time.

The PRESIDING OFFICER (Mr. DONNELLY). The Senator from New Jersey. Mr. MENENDEZ. I ask unanimous consent to proceed for 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MENENDEZ. Mr. President, this has been a robust debate. Listening to my friend and colleague from Kentucky, I appreciate his views, but I strongly disagree with him. Above all, let's say what it is and what it is not about. This is not about Mubarak and chateaus. Mubarak is gone. The Egyptian people decided that. He is gone. It is not about Mobutu or anybody else. You can conflate anything you want and throw it up against the wall, but this is a question of whether we will continue to pursue our own national interest and national security in Egypt, in the Middle East.

This is, in fact, about democracy. It is about the 30 million who were protesting in the streets of Egypt, whom Senator PAUL referred to. But their call is not for us to leave; their call is for us to engage with them. As the experts in this field who gave testimony before the committee said, the one uniting thing among all elements of Egyptian society we could do is cut off all aid. It would unite in what? Against us.

This is about making sure we have a stable Middle East. It is not a canard to suggest that Israel's security is at stake, because when you have hundreds of tunnels in the Sinai being used by extremists to send weapons into Gaza to attack Israel, it is about their security. I think no one knows better about their security than the State of Israel itself knows about their security.

It is not a canard. It is a fundamental element of whether we are going to have an ally that can be safe and secure. It is a fundamental element of whether we are going to have the ability to affect the outcome in Egypt in a way that will create stability and peace. It is a fundamental element of whether we have to send soldiers abroad versus keeping them here at home. Because when there is peace and stability, we ultimately do not have to engage with our military in pursuit of our national interest and security.

When terrorists cannot organize in Egypt, we are safer at home in the United States. So let's not cut off all aid to Egypt in a transportation, housing, and urban development bill when, in fact, our vital national interests are at stake. There is plenty of opportunity to help America's cities. I was a mayor. No one wants to help America's cities more. You will get to do that if you vote for the THUD bill, if you put

your vote up. But this is not a way to achieve that.

Mr. MCCAIN. Will the Senator yield for a question?

Mr. MENENDEZ. I yield to the Senator from Arizona.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Ronald Reagan used to say facts are stubborn things. The Senator from Kentucky just said Egypt has no money. Isn't it a fact the Gulf countries and the Saudis have just given them \$13 billion?

Mr. MENENDEZ. Absolutely.

Mr. MCCAIN. Again, isn't the question whether the Senator from Kentucky knows what is better for Israel or Israel knows what is better for Israel? The fact is, AIPAC and the Israelis are adamantly opposed to this amendment; isn't that correct?

Mr. MENENDEZ. It is true they are opposed, and I would assume Israel, a sovereign state, knows what its security interests are better than anybody else.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Tennessee.

Mr. CORKER. What is the status of time right now? I think we should bring this to a close soon.

The PRESIDING OFFICER. All time remaining is under the control of the Senator from Kentucky, and he has 2 minutes remaining.

The Senator from Kentucky.

Mr. PAUL. Mr. President, several points have been made about whether we should engage with Egypt. Absolutely, we should. But the Egyptian people don't see it as engagement when the engagement is at the end of a truncheon, when the engagement is tear gas bought with American money and then sprayed on them. They do not quite understand that as engagement. So buying arms—American tanks and American tear gas—to be used for crowd control isn't exactly what the Egyptian people have in mind as far as engagement.

With regard to Israel, there is no unified statement from the nation of Israel saying they are for this. I have had both private and public discussions with the leaders of Israel, and to tell you the truth, without naming individuals, I can tell you they are not too excited about sending more arms to Egypt. So for someone to come to the floor and say they speak for the nation of Israel, they speak for all people who love Israel in our country, is false.

There are probably 20 different groups in our country that support the nation of Israel and support them as our ally. I speak to them all the time. I visit with them daily and weekly in our office. So what I can tell you is if you talk to the people, to the grassroots and not to the so-called leadership, you will find a much different story. Because I would promise you—let me speak to the entire crowd at an AIPAC meeting and we will see whether they like sending more weapons to

the Muslim Brotherhood or more weapons to Egypt. I think you will find a resounding no.

This amendment is ultimately about the law, and I hope my colleagues will remember that if they vote against this amendment they are flouting the law, they are voting to disobey the law, they are voting against the rule of law, and they are actually voting against a law they have all voted for.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Tennessee.

Mr. CORKER. Mr. President, I think most Members of the body realize the THUD bill is not the place to address major foreign policy. I think all understand that in September it is the plan of this body to deal with the legal issues regarding foreign aid to Egypt, so I move to table the amendment of the Senator from Kentucky.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. MENENDEZ. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from North Dakota (Ms. HEITKAMP) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 86, nays 13, as follows:

[Rollcall Vote No. 195 Leg.]

YEAS—86

Alexander	Franken	Murphy
Ayotte	Gillibrand	Murray
Baldwin	Graham	Nelson
Baucus	Hagan	Portman
Begich	Harkin	Pryor
Bennet	Hatch	Reed
Blumenthal	Heinrich	Reid
Blunt	Hirono	Roberts
Boozman	Hoeven	Rockefeller
Boxer	Inhofe	Rubio
Brown	Isakson	Sanders
Burr	Johanns	Schatz
Cantwell	Johnson (SD)	Schumer
Cardin	Johnson (WI)	Schumer
Carper	Kaine	Scott
Casey	King	Sessions
Chambliss	Kirk	Shaheen
Chiesa	Klobuchar	Shelby
Coats	Landrieu	Stabenow
Cochran	Leahy	Tester
Collins	Levin	Toomey
Coons	Manchin	Udall (CO)
Corker	Markey	Udall (NM)
Cornyn	McCain	Vitter
Donnelly	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Fischer	Mikulski	Wicker
Flake	Murkowski	Wyden

NAYS—13

Barrasso	Grassley	Paul
Coburn	Heller	Risch
Crapo	Lee	Thune
Cruz	McConnell	
Enzi	Moran	

NOT VOTING—1

Heitkamp

The motion was agreed to.

Mrs. BOXER. Mr. President, I move to reconsider the vote and lay that motion on the table.

The motion to lay on the table was agreed to.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 1 p.m.

Thereupon, the Senate, at 11:39 a.m., recessed until 1 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

EXECUTIVE SESSION

NOMINATION OF BYRON TODD JONES TO BE DIRECTOR OF THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The bill clerk read as follows:

Nomination of Byron Todd Jones, of Minnesota, to be Director of the Bureau of Tobacco, Alcohol, Firearms, and Explosives.

The PRESIDING OFFICER. Under the previous order, there will be 1 hour of debate on the nomination equally divided in the usual form. If no one yields time, time will be charged equally to both sides.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Madam President, I ask unanimous consent to speak as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. HOEVEN pertaining to the submission of S. Con. Res. 21 are printed in today's RECORD under "Submitted Resolutions.")

Mr. HOEVEN. With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

NASA AUTHORIZATION

Mr. NELSON of Florida. Madam President, we passed the NASA authorization bill out of the Commerce Committee yesterday. Sadly, I must report that it is the first time the NASA bill has been a partisan vote that I can ever remember. NASA—this little program that is such a can-do agency—has always been not only bipartisan, but it has been nonpartisan.

There was actually no real disagreement with the content, the policies set in the NASA authorization bill. It is very similar to what the Appropriations Committee indeed has already passed out of the full Appropriations Committee. But, sadly, there is an insistence that this artificial budget limitation, which is like a meat cleaver cutting across the board—some would describe it as a guillotine coming down across programs willy-nilly—cutting

programs such as the National Institutes of Health and all of the medical research that is going on and, indeed, a broadly embraced bipartisan program such as our space program.

So the vote was 13 to 12—specifically along partisan lines—not because of the content, not because of the policy, but because of the funding level. In the bill that passed, we had the NASA authorization for appropriations at the level provided in the budget resolution that passed the Senate—\$18.1 billion. That is about level funding for NASA, this little agency that is trying to do so much. However, our Republican friends wanted it cut to \$16.8 billion, and some spoke favorably toward the House bill that has it cut back to \$16.6 billion.

If we cut \$1.5 billion out of this little agency, it can't do what it is attempting to do to get us ready to go to Mars in the decade of the 2030s and in the meantime to get our human-rated rockets in the commercial sector so we can send our astronauts to and from the international space station where six human beings are doing research right now. The multiplicity of science projects, the planetary exploration that is going on, and the aeronautics research that is going on—all of that is within this little agency.

My hope is that as we get further along in the fiscal year, we are going to hit some grand design, some grand bargain, some great bipartisan agreement on funding that maybe will include tax reform but that will then allow us to operate with common sense instead of some artificial budgetary mechanism called sequester.

Yesterday it was stated that indeed the NASA authorization bill violated the Budget Control Act of 2011. I tried to explain in the committee that it did not. As a matter of fact, the Budget Control Act is an overall level on compressing appropriations. It has no effect on the authorization for appropriations. That is where we set policy, and then we leave it up to the Appropriations Committee to set the actual funding.

So I am happy to say that we made the step that we needed to make. We have the bill proceeding now out of the committee. I am sad to say that for the first time ever this broadly based, wildly popular, not only bipartisan but nonpartisan program, called America's space program, has come out of the committee with a partisan vote.

Let's turn this around, and let's not have this excessive partisanship and this ideological rigidity that is gripping this country's politics. Let's not have that infect our Nation's space program.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Madam President, I ask unanimous consent to speak for up to 15 minutes on the Todd nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Madam President, I come to the floor to ask my colleagues to vote against cloture on the nomination, and here are my reasons for asking that of my colleagues.

Earlier this week I outlined my general objection to the Senate proceeding to a final vote on the confirmation of Mr. B. Todd Jones, the nominee to be Director of the Bureau of Alcohol, Tobacco, and Firearms. As I explained, the Senate should not be voting on a nomination when there is an open investigation.

In this case the Office of Special Counsel is investigating Mr. Jones in a complaint that he retaliated against a whistleblower in the U.S. Attorney's Office for the District of Minnesota.

Because of the way this nomination was handled in committee, I was able to conduct only a limited investigation. But what I found should give all of us pause—real pause—on this nomination because it gives me concern about Mr. Jones's leadership ability and raises doubts about whether he should be promoted to head this office.

According to both the whistleblowing assistant U.S. attorney and the former head of the FBI in Minnesota, relationships with Federal, State, and local authorities deteriorated significantly under Jones's leadership. The problems primarily involved agencies that worked drug cases and violent crime.

Mr. Jones addressed the issue in a meeting with criminal prosecutors in his office. According to the whistleblower, following that meeting, Mr. Jones came to the whistleblower's office and asked for his candid opinion of what could be done about the problem.

The whistleblower gave Jones his candid opinion, and a few weeks later he put it in writing what he had told Jones during this meeting. His e-mail to Jones included allegations of mismanagement by one of his supervisors, the head of the Narcotics and Violent Crime Unit.

The very next day, that supervisor called that whistleblower on the carpet and, according to the whistleblower, interrogated him about his work in search of a pretext to discipline him.

Failing to find a substantive reason to discipline him, his supervisors then suspended him for 5 days for his demeanor during the meeting. Now, based on what we know at this point, it certainly looks like retaliation, and it helps explain why the Office of Special Counsel believed these allegations merited further investigation. Remember, only about 10 percent, 1 in 10 of these types of allegations is selected for investigation by the Special Counsel.

To be fair, we do not know the full story. The Office of Special Counsel has not finished its investigation into the matter. But this fact remains: There is an open investigation of serious allegations of whistleblower retaliation, and because that investigation remains open, this body—the Senate of the United States—should have the full information about the nominee, and it

does not have it, and it should have it before voting on that nomination.

These are serious charges. The public interest demands resolution of these issues. Members of the Senate are entitled to know if these charges have merit. Members of the Senate are entitled to the complete record.

So everyone should ask, Why then are we voting on a nomination on which there is an open investigation and on a nominee where we do not have the complete information? To me, the answer is obvious: We should not be conducting this vote until this matter is resolved.

I would like to highlight a few comments contained in a recent letter from the National Whistleblowers Center. That organization, since 1988, has been supporting whistleblowers.

The center opposes a vote on this nomination "until there is a complete and thorough investigation into his treatment of employee-whistleblowers." This is exactly what I am requesting today: a "no" vote to give the time to complete this investigation.

The National Whistleblowers Center notes that the Office of Special Counsel's investigation remains open. Again, I agree with their contention; namely, "that office should be able to complete its inquiry in due course, without any pressure triggered by the nomination process."

I am surprised to hear rumblings about my opposition to this nominee based on this particular matter. It seems some are asking the question, What does this whistleblower retaliation have to do with the ATF? Why is this investigation even relevant?

I sincerely hope my colleagues have not forgotten about the disaster of Operation Fast and Furious—an absolute failure by the former leadership of the ATF. In that case, the former ATF leadership and the ex-U.S. attorney retaliated against the brave whistleblowers who alerted authorities about this botched operation of Fast and Furious. A U.S. attorney in Arizona had to resign because of his retaliatory conduct against whistleblowers.

Based in part on that history, I am extremely hesitant to place at the head of that agency this individual who has been accused of retaliation against a whistleblower and, as Acting Director of ATF, Mr. Jones sends a very chilling message to all the employees of that organization.

Mr. Jones was caught on video, so we know exactly what he said. He was caught on video making very disturbing statements specifically targeted at discouraging ATF agents from blowing the whistle.

Let me remind you, whistleblowers are patriotic Americans who think the law ought to be followed and the government do what the law says.

He told these whistleblowers:

[I]f you don't respect the chain of command, if you don't find the appropriate way to raise your concerns to your leadership, there will be consequences.

Wouldn't that scare anybody who worked in that organization?

Of course, blowing the whistle requires going outside the chain of command to report wrongdoing. If you do not get the benefit of people listening to you within, then it is your constitutional responsibility to go outside and report violation of law. So telling employees there will be consequences for going outside the chain of command is the same thing as telling them there will be consequences for whistleblowing.

This video was seen by several employees in the U.S. Attorney's Office of Minnesota, also headed by Mr. Jones in his other capacity. These employees wrote to the Office of Special Counsel referencing the video, stating that they had "felt for the employees of ATF as we too have had the same types of statements made to us."

They then said Mr. Jones "ha[d] instituted a climate of fear, ha[d] pushed employees out of the office, dismissed employees wrongly, violated the hiring practices of the EEOC, and put in place an Orwellian style of management that continues to polarize the office."

As I mentioned, the former head of the FBI in Minnesota also wrote to the committee about Mr. Jones. In that letter, he wrote:

As a retired FBI senior executive, I am one of the few voices able to publicly express our complete discontent with Mr. Jones' ineffective leadership and poor service provided to the federal law enforcement community without fear of retaliation or retribution from him.

Meaning from Mr. Jones.

Those are chilling words, as I have said twice. They corroborate what members of his staff have said and are consistent with the whistleblower retaliation complaint.

The former FBI Special Agent in Charge continued with this report:

[Mr. Jones] was, and still remains, a significant impediment for federal law enforcement to effectively protect the citizens of Minnesota. . . .

As the Minneapolis Star Tribune reported on December 31, 2012:

Criminal prosecutions have dropped dramatically at the U.S. Attorney's office in Minneapolis under the leadership of B. Todd Jones, rankling some in law enforcement.

But then the article continued:

Several federal and state law enforcement sources said that the U.S. Attorney's office refused to prosecute drug and violent crime cases that would have been snapped up by Jones' predecessors. None agreed to be quoted, saying they must maintain a relationship with the U.S. Attorney's Office.

My investigation revealed that during Mr. Jones's tenure as U.S. attorney, several people allege that relationships with other Federal law enforcement agencies deteriorated also. Now, why would we want to confirm as Director of the ATF someone who has a poor track record working with Federal law enforcement?

Since the majority insisted on moving forward without waiting for the Office of Special Counsel to complete its

work, on July 2 I wrote to the FBI, the DEA, and ICE seeking information about the deteriorating relationship between Federal law enforcement and the U.S. Attorney's Office under Mr. Jones's leadership. I have received no replies to that request.

In addition to his record as U.S. attorney for the District of Minnesota, what about Mr. Jones's record as Acting Director of the Bureau of Alcohol, Tobacco, and Firearms? It is no secret that there have been a number of controversial events that Mr. Jones has been involved in to one degree or another. I have sent numerous letters to the department requesting information from and about Mr. Jones. In many cases, I have received no response or an incomplete response. Here is a sampling:

On *Fast and Furious*—on October 12, 2011, the House Oversight and Government Reform Committee subpoenaed records of the Attorney General's advisory committee relating to Operation Fast and Furious during a period Jones was committee chair. I reiterated that request on April 10, 2013.

No. 2, ATF's accountability for *Fast and Furious*. On October 19, 2012, and January 15, 2013, I requested information on which ATF employees would be disciplined for their role in *Fast and Furious*.

No. 3, *Fast and Furious* interview request. From October 7, 2011, through January 2012, I requested a staff interview with Jones regarding *Fast and Furious*. I reiterated that request to Mr. Jones on April 10, 2013.

No. 4, interview request on Reno, NV, ATF office. My April 10, 2013, letter also indicated that Mr. Jones's failure to act on Reno management issues was another area of questions to be covered in a staff interview.

No. 5, interview request on Operation Fearless. My April 10, 2013, letter indicated that the botched Operation Fearless in Milwaukee was another area of questions to be covered in a staff interview.

No. 6, document request on Operation Fearless. On May 10 of this year, I sent Mr. Jones a letter requesting a copy of the Office of Professional Responsibility and Security Operations report on the botched Milwaukee storefront operation.

No. 7, on the St. Paul and quid pro quo matter, I was able to have a staff interview with Mr. Jones. Just to remind my colleagues about the issue I will tell you, briefly, on February 3, 2012, the Department of Justice and the City of St. Paul struck a deal. The terms of the quid pro quo were as follows: The Department declined to intervene in two False Claims Act cases that were pending against St. Paul, and St. Paul withdrew its petition before the U.S. Supreme Court on the *Magner* case, a case that observers believed would invalidate the use of disparate impact theory under the Fair Housing Act.

But this was no ordinary settlement. Instead of furthering the ends of justice, this settlement prevented the courts from reviewing potentially meritorious claims and the recovery of hundreds of millions of dollars for the U.S. Treasury.

The U.S. attorney in Minnesota at the time of the quid pro quo, Mr. Jones, was serving both as U.S. attorney and Acting Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives. Mr. Jones was interviewed by the committee staff as part of the investigation on March 8, 2013. However, before agreeing to the interview, the department demanded that staff not be permitted to ask Mr. Jones any further questions other than those involving quid pro quo.

Questions remain about whether he was effectively managing both jobs as the U.S. attorney and Acting Director. For example, when asked by committee staff about his failure to attend a seminal meeting between the department's civil division and representatives from the City of St. Paul, which occurred in December 2011, he stated that he did not attend because he had an event at ATF that precluded his attendance. When pressed further, Mr. Jones indicated the important event at ATF was a holiday party called "sweet treats."

He felt it was more important that he attend that event than it was to attend his crucial meeting—

The PRESIDING OFFICER. The Senator's time has expired.

Mr. GRASSLEY. I ask unanimous consent for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. It was more important that he go to sweet treats than worry about collecting \$200 million under False Claims Act cases pending. I raised many of these issues with Mr. Jones at his hearing and in written questions for the record. But in too many instances Mr. Jones was unable or unwilling to provide an adequate response. Unfortunately, I have a lingering concern about his candor during his testimony. With this record before us, it should be apparent to all of my colleagues that the Senate should not move forward with Mr. Jones' nomination.

First, the Senate has yet to learn the results from the investigations of Office of Special Counsel; two, the Senate has not had an opportunity to hear Mr. Jones address those allegations himself. Point blank he told the committee he could not speak about them because of the open investigation; third, the Senate should recognize a troubling pattern indicating the nominee's inability to work with Federal law enforcement and whistleblowers; four, his involvement in a number of botched operations showing unacceptable management style or capability.

Elevating an individual with such a record is not how you rehabilitate the reputation, image, and culture of Fed-

eral law enforcement agencies still recovering from the disastrous scandal of Fast and Furious. I do not believe we should simply rubberstamp this nomination and sweep the alarming allegations under the rug.

I would hope that further action on the nomination pause until these matters are resolved. Before I close, I wish to address one additional matter. I have heard it argued from the majority that there is an urgency to get this nomination confirmed because ATF has not had a confirmed Director for 7 years. President Bush made a nomination in March 2007. That nomination was held up in the Senate based on concerns regarding ATF's hostility to small gun dealers and the nominee's apparent indifference to their concerns.

President Obama did not nominate a Director until November 17, 2010. That is 2 years into his first term. That individual's nomination stalled because neither the White House nor the nominee responded to our requests for additional information. Rather than respond to our requests so that nomination might move forward or withdraw that nomination and send up another, the White House did nothing for 2 years.

The nomination of Mr. Jones was not sent up to the Senate until the beginning of this year. So for the past 4½ years, the vacancy is the responsibility of the White House. I do not think that supports their contention that there is a crisis because of a lack of a Senate-confirmed nominee.

In any event, the prudent course for the Senate, and what I support, is to wait a short while, until the open complaint is resolved. I urge my colleagues to vote against cloture.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

POWER NOMINATION

Mr. COONS. Madam President, this week the Senate will consider the nomination of Samantha Power to serve as our next Ambassador to the United Nations. In fact, I hope we will take it up later today. This is a critical position to our President's national and foreign policy team, and I believe Ms. Power's experience, values, and wise approach to foreign policy will make her a terrific Ambassador.

Throughout her career, she has displayed a passion for human rights and worked tirelessly to prevent atrocities abroad. From her early days as a journalist, to her work in the White House, she has shown a pragmatic idealism and a deep and nuanced understanding of the foreign policy and security challenges facing this country around the globe.

I met with Ms. Power a few weeks ago. I came away confident that she is the right choice to represent our country at the U.N. She understands the critical importance of democratic values and human rights to global stability. Ours is a complex time and a

complex world. The fabric of global stability is woven with many threads of democracy, good governance, economic development, health, education, national security and, of course, diplomacy.

The global challenges of our generation require leaders, leaders capable of seeing each of these threads and appreciating how they connect and how we can weave them together to make a stronger more vibrant world.

As chair of the Senate Foreign Relations Subcommittee on African Affairs, I am excited to work with Ambassador Power to strengthen our friendship and strategic partnerships on that vital continent. On Israel, it is clear she believes in our Nation's unbreakable bond with the Jewish State. She has shown us, in her words and actions, especially when she played an underreported and underappreciated role defending Israel at the U.N. during the Palestinian statehood vote.

In closing, it is clear that in Samantha Power we have a nominee with a keen intellect and a grasp of the complex foreign policy challenges we face in the world. She combines a dedication to American values and principles with the pragmatism that will serve us well at the U.N. I am proud to vote for her confirmation and urge my colleagues to do the same.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Madam President, I rise in support of the nomination of Todd Jones to be Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives. I wish to first thank Senator COONS for his remarks about Samantha Power. I am also looking forward to the vote on her confirmation. I am looking forward to her service.

This is a very important job. As the Presiding Officer knows, the ATF has an incredibly important role in investigating crimes and terrorist incidents such as the Boston Marathon. They recently investigated the explosion in Texas that took so many innocent lives. This must be a top priority for the United States of America.

Yet this is a position where there are 2,400 agents—2,400 ATF agents—and they have gone without a permanent Director for 7 years, ever since this became a confirmable position. This happened under President Bush. There was not a confirmed Director. It is happening now up until today under President Obama. It is time to change that. It is simply time to change it.

I know Todd Jones. For 2 years he has served as the U.S. attorney of Minnesota at the same time he is serving as the ATF Director. That is not an easy job. He has five children. He is a former marine. He was willing to take on the ATF job after the Fast and Furious debacle. He was willing to come in after that and help to clean up that agency and make some very tough decisions. He took on that job while still

remaining the U.S. attorney in Minnesota.

I would note he served as the U.S. attorney of Minnesota under President Clinton and again was appointed to serve under President Obama. Then, 2 years ago, he was asked to be the Acting Director of ATF, never knowing if this day would ever come when actually there would be a vote on his confirmation.

He literally has never turned down a tough assignment. Todd Jones has an impressive background that makes him well prepared to lead the ATF. After law school at the University of Minnesota, he entered the U.S. Marine Corps, as I noted, where he served on Active Duty as a judge advocate and infantry officer from 1983 until 1989. Two years later, he was called back to Active Duty during the first Iraq war.

In addition to his military career and having the rare distinction of serving as U.S. attorney under two different Presidents, Todd Jones also has a strong record as a line prosecutor in the Minnesota U.S. Attorney's Office. When Jones was U.S. attorney in Minnesota from 1998 to 2001, the violent crime rate decreased by 15 percent. So far during his second tenure as the U.S. attorney, the violent crime rate in Minnesota has already decreased by 9 percent.

We all know there are a lot of factors that go into that, including the great work of our local police officers, including work of our police chiefs, including the work of community groups, including the economy. There are a number of things at hand. But when I hear attacks against Mr. Jones, I believe it is important to set the record straight.

One other thing—I did want to set the record straight on one other thing. I so appreciate the leadership Senator GRASSLEY has shown when it comes to whistleblowers. But everyone should know, regarding this complaint within the office, an internal complaint within the U.S. Attorney's Office in Minnesota, it was investigated by the Judiciary Committee. In this place, to set the record straight, the complainant voluntarily agreed to mediate his concerns. The Office of Special Counsel is no longer investigating. I wish to make that straight for all of my colleagues so they understand the outcome of that and that there is a mediation going on. It is not being investigated.

As an assistant U.S. attorney, Todd Jones was the lead prosecutor in a number of cases involving drug conspiracies, money laundering, financial fraud, and violent crime in the early 1990s. In the private sector, he became a partner at two very well regarded Minnesota law firms, Robins Kaplan and Greene Espel. He has led a number of very important prosecutions in his capacity as U.S. attorney: Operation Rhino, which involved the criminal prosecution of Omer Abdi Mohamed, who recruited young Somali Americans to fight for terrorist groups in Somalia,

To date, this investigation has resulted in charges filed against 22 other individuals and Operation Brother's Keeper, a major RICO case, the second biggest Ponzi scheme in the history of America, second only to the Bernie Madoff Ponzi scheme, prosecuted by the U.S. Attorney's Office, by a fine prosecutor named Joe Dixon and many others under Todd Jones's leadership.

This gives us a sense—and I would end with this as I see Senator LEAHY, our great chairman is here. Jones's confirmation is supported by the Fraternal Order of Police, the International Chiefs of Police, 81 U.S. attorneys, the National District Attorneys Association, Minnesota's former FBI Special Agent in Charge, Ralph Boelter, the former U.S. attorney Tom Hefflefinger, who served under both George H. W. Bush and George W. Bush in Minnesota, and dozens of others who have worked with Mr. Jones over his many years of public service.

I would end with this: The ATF has people on the frontlines every day. They do not ask if the work they have done is ordered by a Republican or a Democrat. When they go to investigate a bombing, they do not ask the police officers what their political affiliation is or who the FBI is. They do not care. They just do their job. Now it is time for the Senate to do its job and confirm an ATF Director for the first time in 7 years. I thank the chairman for his leadership.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, when the 113th Congress convened following the terrible tragedy in Newtown, CT, the Judiciary Committee focused its attention on commonsense gun violence prevention legislation. The American people made their voices heard in favor of effective reforms, and many Senators went to work to find common ground.

Although the Senate Judiciary Committee approved four pieces of legislation to address gun violence, two of which were reported on bipartisan votes, the Senate was unable to pass any of these measures. Like many Americans, I was disappointed at the Senate's inability to come together to make sensible changes to our laws to reduce gun violence.

Today we have another chance to make progress in our efforts to reduce gun violence with the confirmation of B. Todd Jones to lead the Bureau of Alcohol, Tobacco, Firearms, and Explosives. Todd Jones has served as the Acting Director since September 2011. Under his leadership, the ATF has been called on to analyze the bombs left near the finish line at the Boston Marathon, to sift through burned debris in the West, TX, explosion and to trace the weapons used by the shooters in the Newtown and Aurora massacres. The ATF has played a major role in investigating some of our Nation's worst tragedies.

In addition to the ATF's enforcement responsibilities, the agency is central to firearms commerce. The ATF issues permits for companies that import firearms and provide firearms to law enforcement agencies. Without a confirmed Director, the ATF's job of supporting and regulating Americans who make their living in the business of firearms is much more difficult. Yet we continue to hamper the ATF's ability to do its job. No nominee to lead the ATF has been confirmed since that position was made subject to the Senate's consent.

I hope the Senate will vote to change this unfortunate pattern of obstruction. Mr. Jones is a dedicated public servant and law enforcement official. He volunteered for the U.S. Marine Corps in 1983, serving on Active Duty as a Judge Advocate and Infantry officer until 1989. In 1991, he was recalled to Active Duty to command the 4th Marine Division's Military Police Company in Iraq. He also served as commanding officer of the Twin Cities Marine Reserve Unit. When Todd Jones was confirmed by this body in 1998, he became the first African-American U.S. attorney in Minnesota's history. Todd Jones has served this country honorably as a marine, a U.S. attorney, and the ATF's Acting Director.

Unfortunately, there is opposition to Mr. Jones's confirmation. But in my view this opposition has little to do with his ability to lead this important Federal agency. Every nominee to lead the ATF has been met with unreasonable opposition. And the consistent opposition all nominees to this post have faced is less about those nominees' qualifications than about weakening a Federal law enforcement agency that some disfavor.

Some Senate Republicans would prefer not to have anyone leading the ATF, no matter who the nominee is. They would not allow President Bush to have a confirmed Director, and they do not want President Obama to have one either.

Opposition to confirming an ATF Director is just another piece of the overall effort by some in Congress to make it more difficult for the ATF to carry out its important mission. For example, when the ATF proposed and implemented a rule intended to provide investigative leads on straw purchasing rings in the Southwest that were fueling drug cartel violence by trafficking firearms across the border, some Members of Congress immediately objected, and the agency was sued to block implementation of the rule. The rule, which has now been upheld unanimously by two Federal Circuit Courts of Appeal, including the Fifth Circuit, was simple—it required federally licensed firearms dealers to report sales of multiple semiautomatic rifles to the ATF, just as all licensed dealers are required to report multiple sales of handguns. Yet some spent significant energy and resources to block the agency's action.

And in recent years, some Members of Congress spent months and untold public resources investigating misguided investigative tactics in the ATF's Phoenix field office associated with an ATF criminal investigation called Fast and Furious. The Fast and Furious investigation concerned a significant firearms trafficking organization in Arizona. This trafficking organization was systematically purchasing hundreds of firearms using straw buyers and transferring them to members of Mexican drug cartels. They operated with ease and virtual impunity as the result of weak Federal laws concerning straw purchasing and firearms trafficking. Investigators and prosecutors were hobbled by weak laws. Some took unacceptable risks to combat a very serious problem on both sides of our border with Mexico.

When the investigative tactics at issue came to light, they were widely criticized, and Attorney General Holder acted swiftly to put an end to them. The Attorney General also directed the Department of Justice inspector general to conduct a thorough investigation. As a result of the inspector general's investigation, those responsible for these tactics were disciplined. And the ATF's procedures were revised to set out clear guidelines for firearms trafficking investigations.

While some Members of Congress were content to merely heap blame on the Attorney General and other dedicated law enforcement officials following the Fast and Furious investigation, I and other Senators chose a different path and worked with law enforcement experts and advocates on both sides of the firearms policy debate to come up with an effective, sensible approach to put an end to the straw purchasing and firearms trafficking.

Unfortunately, the same Senators who were so critical of the ATF's investigative tactics in Arizona and its approach to dealing with a very serious law enforcement issue declined to support the bipartisan legislation Senator COLLINS and I developed to give law enforcement the tools they need to fight gun trafficking.

I hope the same Senators that were so critical of the ATF and the Department of Justice for the breakdown in leadership and management at the agency will not obstruct this nominee and the opportunity to give the agency the solid footing it needs. If the Fast and Furious investigation revealed anything, it was that the ATF faces very significant law enforcement challenges, and that our current laws are inadequate to provide the tools investigators and prosecutors need to confront these problems. Let us not compound these difficulties with continued obstruction of this nominee.

Todd Jones was nominated in January. It is now the last day of July. For months, I accommodated the ranking member on requests for further information and delay on the nomination of Todd Jones. He insisted on the produc-

tion of documents from the Department of Justice that his staff had already had access to for months. He insisted that his staff be able to interview Todd Jones in his capacity as U.S. attorney for the District of Minnesota, as well as two other Justice Department officials, in order to try to build a case against another nomination, that of Tom Perez to be Labor Secretary.

Senator GRASSLEY requested additional background information from the administration not usually required by the committee for an executive nomination and he was provided that information. When he sought information about an ATF operation in Milwaukee, I arranged a bipartisan briefing from the agency.

Then a member of the ranking member's staff disclosed a private Office of Special Counsel, OSC, complaint against Todd Jones to the press. I thought it unfair that the nominee could not publicly defend his reputation.

An employee complained of "gross mismanagement and abuse of authority" but the OSC closed the file based on lack of evidence. The other allegation involved alleged retaliation for making the mismanagement claim, and that subsidiary claim has been referred to mediation. In deference to the complaining party and at the request of the investigating agency that the complaint not be made public, it has not been. I wish it were. It is not substantial or directly related to Todd Jones. It is certainly not a reason to oppose his confirmation.

I know Senator GRASSLEY has the right to raise concerns, but he has made it very clear he does not approve of Todd Jones under any circumstances. I had asked his staff to work with us to get a clearer understanding of the retaliation complaint. But when we talked to the complainant, he was willing only to repeat his own allegations, allegations that are not aimed directly at Mr. Jones but at somebody else, a mid-level manager.

We asked the complainant to provide the committee access to the contemporaneous files so we could determine whether this instance was retaliation or one in a series of disciplinary actions against an employee spanning several years. We offered to take the information in confidence, not for the Justice Department but just for members of our committee. The complainant refused and his lawyer refused to provide that to us, so I would ask all members to read the complaint themselves. We have bent over backwards to allow the complainant to come forward, and he has chosen not to do so.

I would also note for all Senators that we have moved forward on nominees in the past when there have been pending complaints. For example, last year a civil suit was filed against a judicial nominee from Iowa alleging age discrimination and retaliation for raising management issues against the

nominee in her capacity as the U.S. attorney for the Northern District of Iowa. We conducted a bipartisan staff investigation into the claims. I listened to the Senators from Iowa, and we determined we could move forward despite the civil suit that was pending against the nominee. The nominee was overwhelmingly confirmed to the U.S. District Court for the Southern District of Iowa.

Earlier this year, when a defense counsel filed a motion against the U.S. attorney for the District of New Mexico making allegations of improper activity, we independently examined the matter. The committee proceeded with that nomination instead of delaying it.

Todd Jones is the ATF's fifth Acting Director since 2006. During that time 80,000 Americans have been killed with guns. The ATF helps protect our communities from dangerous criminals, gun violence, and acts of terror. It is a central piece of our Federal law enforcement strategy. For too long the position of Director at the ATF has been held hostage to partisan politics at the expense of public safety. It is time to make real progress in our efforts to reduce gun violence and protect the citizens of this great Nation. Today, I encourage all Senators to take the opportunity to move toward that goal together with the confirmation of B. Todd Jones to lead the Bureau of Alcohol, Tobacco, Firearms, and Explosives.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, the cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Byron Todd Jones, of Minnesota, to be Director, Bureau of Alcohol, Tobacco, Firearms, and Explosives.

Harry Reid, Patrick J. Leahy, Mark Begich, Christopher A. Coons, Thomas R. Carper, Patty Murray, Martin Heinrich, Bernard Sanders, Jeanne Shaheen, Benjamin L. Cardin, Al Franken, Sherrod Brown, Tom Harkin, Jack Reed, Sheldon Whitehouse, Bill Nelson, Charles E. Schumer.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Byron Todd Jones of Minnesota to be Director, Bureau of Alcohol, Tobacco, Firearms, and Explosives, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 60, nays 40, as follows:

[Rollcall Vote No. 196 Ex.]

YEAS—60

Ayotte	Hagan	Murkowski
Baldwin	Harkin	Murphy
Baucus	Heinrich	Murray
Begich	Heitkamp	Nelson
Bennet	Hirono	Pryor
Blumenthal	Johnson (SD)	Reed
Boxer	Kaine	Reid
Brown	King	Rockefeller
Cantwell	Kirk	Sanders
Cardin	Klobuchar	Schatz
Carper	Landrieu	Schumer
Casey	Leahy	Shaheen
Collins	Levin	Stabenow
Coons	Manchin	Tester
Donnelly	Markey	Udall (CO)
Durbin	McCain	Udall (NM)
Feinstein	McCaskill	Warner
Franken	Menendez	Warren
Gillibrand	Merkley	Whitehouse
Graham	Mikulski	Wyden

NAYS—40

Alexander	Enzi	Paul
Barrasso	Fischer	Portman
Blunt	Flake	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rubio
Chambliss	Heller	Scott
Chiesa	Hoeven	Sessions
Coats	Inhofe	Shelby
Coburn	Isakson	Thune
Cochran	Johanns	Toomey
Corker	Johnson (WI)	Vitter
Cornyn	Lee	Wicker
Crapo	McConnell	
Cruz	Moran	

The PRESIDING OFFICER (Mr. HEINRICH). On this vote, the yeas are 60, the nays are 40. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Under the previous order, all postcloture time is expired.

The question is, Will the Senate advise and consent to the nomination of Byron Todd Jones, of Minnesota, to be Director, Bureau of Alcohol, Tobacco, Firearms and Explosives?

Mr. LEAHY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Iowa (Mr. HARKIN) and the Senator from Louisiana (Ms. LANDRIEU) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 53, nays 42, as follows:

[Rollcall Vote No. 197 Ex.]

YEAS—53

Baldwin	Carper	Heinrich
Baucus	Casey	Heitkamp
Begich	Coons	Hirono
Bennet	Donnelly	Johnson (SD)
Blumenthal	Durbin	Kaine
Boxer	Feinstein	King
Brown	Franken	Kirk
Cantwell	Gillibrand	Klobuchar
Cardin	Hagan	Leahy

Levin	Nelson	Stabenow
Manchin	Pryor	Tester
Markey	Reed	Udall (CO)
McCaskill	Reid	Udall (NM)
Menendez	Rockefeller	Warner
Merkley	Sanders	Warren
Mikulski	Schatz	Whitehouse
Murphy	Schumer	Wyden
Murray	Shaheen	

NAYS—42

Alexander	Cruz	Moran
Ayotte	Enzi	Murkowski
Barrasso	Fischer	Paul
Boozman	Flake	Portman
Burr	Graham	Risch
Chambliss	Grassley	Roberts
Chiesa	Hatch	Rubio
Coats	Heller	Scott
Coburn	Hoeven	Sessions
Cochran	Isakson	Shelby
Collins	Johanns	Thune
Corker	Johnson (WI)	Toomey
Cornyn	Lee	Vitter
Crapo	McConnell	Wicker

NOT VOTING—5

Blunt	Inhofe	McCain
Harkin	Landrieu	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table. The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business with Senators allowed to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that at 11 a.m., Thursday, August 1, the Senate proceed to executive session to consider the following nomination: Calendar No. 96; that there be 60 minutes for debate equally divided in the usual form; that following the use or yielding back of time, the Senate proceed to vote with no intervening action or debate on the nomination; the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I ask unanimous consent that on Thursday, August 1, 2013, at 2 p.m. the Senate consider Executive Calendar No. 220, the Samantha Power nomination under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that on Thursday, August 1, upon disposition of the Chen nomination and the resumption of legislative session, the Senate proceed to vote on the motion to invoke cloture on S. 1243, the THUD appropriations bill; further, that following the cloture vote, the Senate recess until 2 p.m. for the bipartisan caucus meeting we are having tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. I ask unanimous consent that I be permitted to speak for 12 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

FIXING AMERICA'S WELCOME MAT

Mr. GRASSLEY. Mr. President they say history has a way of repeating itself. That certainly came true in June when the Senate approved a sweeping reform bill to revamp the nation's immigration laws. Unfortunately, the U.S. Senate failed to learn from the mistakes created by the 1986 overhaul.

In the 1980s, about 3 million people who were living in the country illegally were granted legal status. Today, 27 years later, the U.S. estimates 11 million undocumented immigrants are living here.

What should that tell us? It says that the 1986 law failed to stem the flow of illegal immigration. It sent the wrong signal by granting legal status to millions while ignoring the need to secure the border.

I do not need a crystal ball to tell me what would happen on the road ahead if we repeat the mistakes of the past. I saw how legalizing before securing our borders turned out. It turned America's time-honored welcome mat into a timeworn doormat.

America's immigration system is broken. It is time to fix it so that a legal flow of immigration can help the economy and bolster areas of the workforce that are short of workers, from low-skilled to high-tech workers.

But immigration laws should not come at the expense of American workers or cause them to be disadvantaged, displaced or underpaid. Rooting out fraud and abuse from many of our visa programs should be a priority.

Unfortunately, the bill passed by the U.S. Senate would not fix what is broken and is chock-full of loopholes that make the legalization system far from ideal.

Thankfully our system of self-government protects representation of, by and for the people with a bicameral Congress. Now the U.S. House of Representatives has a chance to get it right.

The House is moving on a number of bills. They are having very thoughtful

discussions on how to improve the legal system while adhering to the rule of law. They also know that passing one sweeping bill is a recipe for disaster—one that inevitably creates loopholes and allows special interest provisions to override good policy.

I would like to discuss a few of their good ideas.

First, the House Judiciary Committee approved the SAFE ACT, a bill that beefs up our interior enforcement efforts. It provides tools to State and local law enforcement agencies to help the government enforce immigration laws.

It enhances the 287(g) program, which I helped author. It gives the States and localities the power to enact and enforce their own immigration laws as long as they are consistent with Federal law. The bill would improve our country's ability to remove criminal aliens. Dangerous individuals would be detained, sex offenders would be made inadmissible, and gang members would be both inadmissible and deportable.

These are provisions that are omitted from the Senate bill. Dangerous criminals are ignored in the Senate bill, and it was apparent that the other side of the aisle did not want to have votes that would bar these dangerous criminals from receiving legal status.

Securing the border is very important, but so is focusing on individuals who violate our laws and violate the terms of their stay in the U.S. If we are serious about being tough on sex offenders, domestic abusers, drunk drivers, and other criminals, then the SAFE Act needs to be passed by the Senate and sent to the President.

Second, the House Judiciary Committee approved a bill that improves the existing E-VERIFY program. This program is a valuable tool and should be made mandatory for all businesses. While the Senate bill does make it mandatory, it does so over 6 years and provides exceptions for certain employers. The House bill would implement the program on a faster timetable, for which I have advocated.

Third, the House Judiciary Committee approved bills that improve the legal system for people who want to live and work in the United States. The committee approved a bill that focuses on high-skilled workers that are needed in the country, and another bill that improves the legal channels for people who want to work in agriculture. If we want to ensure that we do not deal with millions of people here illegally in the future, then we have to focus on getting our legal immigration system in order.

Now, I would like to talk about the border bill that was approved by the Committee on Homeland Security. This is a bill I am not ready to endorse. Let me explain why.

The bill, known as the Border Security Results Act, is not a serious and comprehensive approach to border security. While it takes a good first step in requiring metrics to assess whether

the borders are secured, there is nothing that ensures that results are achieved.

The bill requires the Department of Homeland Security, within 6 months of enactment, to develop a strategy on how to secure our borders. The strategy includes an assessment of threats along the border. It will take into consideration the coordination of departments and the cooperation of foreign countries. The strategy calls for an assessment of technology needed. But, it does not actually do anything to give agents the resources they need. It does nothing to require fencing to be built.

After the strategy is submitted to Congress, the Secretary develops an implementation plan and provides that to Congress and the Government Accountability Office.

But like the Senate bill, there is no repercussions if the Secretary does not actually submit a strategy. And, there is no verification or approval of the strategy by Congress. Instead, it relies on this or a future administration to make promises they will not keep. It relies on them to fulfill the law, but we have seen time and again that they thumb their nose at bills we send them. They not only refuse to implement laws they like—such as ObamaCare—but they will refuse to carry this one out as well.

The bill requires the Secretary to develop metrics to measure the “effectiveness” of security at ports and between ports of entry. That is a good start. But, there are no consequences if the Secretary does not develop such metrics. The GAO would evaluate the metrics, but again, there is no real consequence if they are flawed metrics. The border still will not be secured.

The Secretary then certifies that her department has achieved “operational control.” The definition of “operational control” is weakened from current law. The bill defines it as a “condition in which there is a not lower than 90 percent illegal border crossing effectiveness rate, informed by situational awareness, and a significant reduction in the movement of illicit drugs and other contraband through such areas is being achieved.”

The GAO would attest if the certification for operational control is truly done. What if the Secretary never certifies this? What if the GAO says the Secretary's certification is not accurate? If the Department fails to achieve control of the border, then they have to issue a report to explain why. Again, it lacks any true accountability for this or any future administration to secure the border.

Finally, I want to mention one part of the House border bill that is most concerning to me. During committee mark-up, an amendment was accepted that would require a plan on the exit tracking system, but unfortunately there is no beef to it. Implementation of a biometric exit system was a key point when the Senate considered immigration.

The Congress has passed several laws that require the executive branch to track the entry and exit of foreign nationals. Those mandates have been ignored. The airline industry has resisted. Instead of building upon current law and finding a way to make it happen, the House bill provides a way out if the exit system is not deemed feasible by the Secretary—the same Secretary that has made no progress on the system.

Border security is not only putting manpower and technology along the southern border. It is also about tracking people that enter this country. Given that 40 percent of our undocumented population consists of visa overstays, we must address this problem immediately.

This problem is highlighted by a GAO report that was issued on Tuesday. GAO found that the Department has lost track of more than 1 million people. We know they arrived in the United States, but we do not have departure records.

By statute, the Department is required to report overstays. They claim they do not report the estimates because of lack of confidence that the data is reliable. After 17 years, the law has been ignored. The government is not sophisticated enough to match incoming and outgoing travel records, and that is a serious risk to our national security.

Over the years, the GAO has highlighted the challenges that the Department faces in putting the entry and exit system in place. Their new report casts more doubt on the Department's competency.

When the Senate passed the immigration bill in June, I was very clear in suggesting that the bill would have to be fixed by a conference committee with the House, if it ever goes to a conference. With the exception of the border security bill, the House has presented some valuable ideas.

While I want an immigration reform bill sent to the President, I want it done right. We can take our time to get it right.

Over the August recess, the American people will get their opportunity to inform members of Congress how they feel about the immigration proposals on the table.

But I can predict what many will say. I know from previous townhall meetings in my State, the people do not want more laws that will go ignored. They want the laws we have in place to be enforced.

We need legislation that upholds American values of hope, freedom and opportunity. We need immigration laws in place that welcome law-abiding immigrants to share their entrepreneurial spirit, build better lives for themselves, and help make America a better place for generations to come.

But we need legislation that upholds the rule of law and ensures that we do not saddle future generations with the same problems we are faced with today.

It is my hope that Congress, over the August break, will listen to the American people and work to enact true reform that achieves real results and makes good on the promises made in Washington.

The PRESIDING OFFICER. The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I rise again for the 41st time to ask my colleagues to wake up to the threat of climate change. Today I come to discuss the serious risks that climate change poses to our energy sector.

It is no controversial idea that our climate affects our energy infrastructure. In the Northeast, when we think about what causes power outages, we naturally think of bad weather. In fact, the American Society of Civil Engineers reports that between 2007 and 2012, weather-related events were the main cause of electrical outages in the United States.

That same report said: "The average cost of a one-hour power outage is just over \$1000 for a commercial business," just for 1 hour. This takes a serious toll on our economy.

A recent Department of Energy report has highlighted how sensitive our energy sector is to climate change and to extreme weather.

In September 2011, the Department of Energy reports:

High temperatures and high electricity demand-related loading tripped a transformer and transmission line near Yuma, Arizona, starting a chain of events that led to shutting down the San Onofre nuclear power plant with power lost to the entire San Diego County distribution system, totaling approximately 2.7 million power customers, with outages as long as 12 hours.

Earlier that summer:

Consecutive days of triple-digit heat and record drought in Texas resulted in the Electric Reliability Council of Texas declaring power emergencies due to a large number of unplanned power plant outages and at least one power plant reducing its output.

The report says the Browns Ferry Nuclear Plant in Athens, AL, "had to reduce power output because the temperature of the Tennessee River, the body of water into which the plant discharges, was too high to discharge heated cooling water from the reactor without risking ecological harm to the river."

This happened in 2007, 2010, in 2011, and, in some cases, the power production was reduced for nearly 2 months. The Department of Energy reports that "the cost of replacement power was estimated at \$50 million."

It is not just power generation, energy exploration has been affected too. The DOE report explains that last July: "In the midst of one of the worst droughts in American history, certain companies that extract natural gas and oil via hydraulic fracturing faced higher water costs or were denied access to water for six weeks or more in several States, including Kansas, Texas, Pennsylvania, and North Dakota."

It was a similar story in the fall of 2011:

Due to extreme drought conditions, the city of Grand Prairie, Texas, became the first municipality to ban the use of city water for hydraulic fracturing. Other local water districts in Texas followed suit by implementing similar restrictions limiting city water use during drought conditions.

In July of 2011, the report recounts that:

ExxonMobil's Silvertip pipeline, buried beneath the Yellowstone River in Montana, was torn apart by flood-caused debris, spilling oil into the river and disrupting crude oil transport in the region. The property damage cost was \$135 million.

Senator VITTER, our ranking member on the Environment and Public Works Committee, has told us that 18 percent of the Nation's oil supply passes through his home State of Louisiana at Port Fourchon. A recent Government Accountability Office report found that the only access road to that port is closed 3½ days a year on average because of flooding, effectively shutting down that port. With sea level rise climbing due to climate change, NOAA is now projecting that within 15 years portions of that highway will flood an average of 30 times each year—again shutting down access to that port 30 times a year.

Vital infrastructure such as powerplants, power lines, roads, and pipelines are all designed to stand up to historical weather patterns. What happens when the weather stops following historical patterns?

According to the draft National Climate Assessment:

U.S. average temperature has increased by about 1.5 degrees Fahrenheit since 1895; more than 80% of this increase has occurred since 1980. The most recent decade was the nation's hottest on record.

Oceans and other bodies of water are warming right along with the atmosphere.

The seasons are shifting. Research shows that in the last two decades the frost-free season has increased in every region of the contiguous United States compared to the average between 1901 and 1960.

In the Southwest, the record shows the frost-free season has increased 3 weeks and the western wildfire season has expanded by more than 2 months since the 1970s. Precipitation patterns and the availability of water are changing throughout the Nation. One study concluded that snow in the western mountains is melting, on average, 1 to 4 weeks earlier now compared to the 1950s.

The draft National Climate Assessment shows that the amount of rain falling in what we call heavy precipitation events or, more colloquially, downpours is up in every region of the Nation. It is up 45 percent in the Midwest and 74 percent in the Northeast.

Sea level is rising about 8 inches, on average, globally, but in some parts of the country it is much higher. NOAA reports that mean waters off the Galveston, TX, coast are rising more than

2 feet per century. At Grand Isle, LA, the rate is nearly 3 feet per century.

These aren't just projections of what is to come, these are actual measurements of changes that have already happened or are happening around us. The result is that we have an energy infrastructure built for a different climate than the one which now exists and the one which is to come. Conditions are only predicted to get worse.

The threat to our energy sector from changes in the climate should be neither controversial nor partisan. There are a lot of commonsense solutions here. Adapting our infrastructure for climate change is smart, and it will save us from costly repairs.

Investing in energy efficiency by reducing the demand for power will relieve pressure on the burdened systems. Investing in a diverse energy sector will protect against the unique vulnerabilities of specific types of power sources.

Rhode Island is part of the Regional Greenhouse Gas Initiative, nicknamed Reggie, along with eight other Northern States. Our region caps carbon emissions and sells permits to powerplants to emit greenhouse gases, which creates economic incentives for both States and utilities to invest in energy efficiency and renewable energy development. These efforts also reduce load demand on the region's electrical grid.

We are proud of the effort we are making in New England. I know a lot of States are working just as hard. I say to my colleagues, our home States are hampered by the inaction in Congress.

We have received credible and convincing warnings. We have received compelling calls to act. The overwhelming majority of the scientific community recognizes climate change is real and we are causing it.

Our national security and intelligence community, our faith leaders, major American corporations, including the insurance and reinsurance industry and most Americans all agree we need to act. It is time for Congress to wake up, do its work to slow the onslaught of climate change, and to prepare for what are now unavoidable, inevitable effects. Yet here in Congress we sleepwalk on.

This is an issue I know hits home in your home State in very different ways than it hits home in my State. But in each of our own ways, our States are already experiencing the hit from climate change. It is caused by carbon pollution that we are putting into the air, that our companies, our smokestacks are launching into the atmosphere. It changes our weather, changes our temperature, changes our seasons, changes our oceans, changes our waterways, changes our weather, and changes our lives.

The tragedy is that we sleepwalk on because we are unwilling to address the special interests that are preventing us from taking the action that all Americans need. This is the archetypical

fight between the public good, between an important public security issue and a private special interest that is defending itself, that is defending its right to pollute, that is defending its ability to compromise our atmosphere, compromise our health, and compromise our great oceans and waters. This should be an easy struggle. This should be an easy struggle, but it is not. And it will be a mark of shame on this generation, and it will be a mark of shame on this building that given the choice between the clear information from the scientists, the clear experience of what is happening in all of our States and the power of the special interests, we ignored the first and yielded to the power of those special interests.

I yield the floor.

“PROTECTING OLDER WORKERS AGAINST DISCRIMINATION ACT”

Mr. LEAHY. Mr. President, I am pleased to join Senators HARKIN and GRASSLEY in reintroducing the Protecting Older Workers Against Discrimination Act. This bipartisan bill seeks to restore crucial worker protections that were cast aside by five justices of the Supreme Court in the 2009 case *Gross v. FBL Financial, Inc.* The bill reaffirms the contributions made by older Americans in the workforce and ensures that employees will be evaluated based on their performance and not by arbitrary criteria such as age.

Congress has long worked to enact civil rights laws to eliminate discrimination in the workplace. In 1967, Congress passed the Age Discrimination and Employment Act, ADEA, extending protections against workplace discrimination to older workers. We strengthened and codified these protections in the Civil Rights Act of 1991, which passed the Senate with an overwhelming, bipartisan vote of 93-5. These statutes established not only our clear congressional intent, but also a clear legal standard: an employer's decision to fire or demote an employee may not be motivated in whole or in part by the employee's age.

However, the Supreme Court's *Gross* decision unilaterally erased that long-standing standard. A narrow 5-4 majority threw out a jury verdict in favor of Jack Gross, a 32-year employee of a major financial company, who had sued his employer under the ADEA. That jury concluded that age was a motivating factor in the company's decision to demote Mr. Gross and to reassign a younger, significantly less-qualified worker to take his place. But the Supreme Court ignored the fact finder, its own precedent, and congressional intent to overturn the jury verdict.

Five justices shifted the burden from the discriminators to the discriminated, deciding that workers like Mr. Gross must now prove that age was the only motivating factor in a demotion or termination. The court's decision re-

quired workers to essentially introduce a “smoking gun” in order to prove discrimination. By imposing such high standards, the Court sided with big business and made it easier for employers to discriminate on the basis of age as long as they could cloak it with another reason. The Protecting Older Workers Against Discrimination Act rejects the Supreme Court's reasoning in the *Gross* decision, not only in those cases under the ADEA but also under similar civil rights provisions.

The Supreme Court's holding has created uncertainty in our civil rights laws, making it incumbent on Congress to clarify our intent and the statutory protections that all hardworking Americans deserve. The Protecting Older Workers Against Discrimination Act restores the original intent of the ADEA and three other Federal anti-discrimination statutes. The bill reestablishes Congress' intent that age discrimination is unlawful even if it is only part of the reason to demote or terminate a worker. It makes it clear that employers cannot get away with age discrimination by simply coming up with a reason to terminate an employee that sounds less controversial. Under the bill, a worker would also be able to introduce any relevant admissible form of evidence to show discrimination, whether the evidence is direct or circumstantial.

I commend Senator HARKIN for his efforts over the past 4 years to negotiate a bipartisan bill to restore the civil rights protections that all Americans deserve in the workplace. I also thank Senator GRASSLEY, the ranking member of the Judiciary Committee, for his commitment to this issue. I once again urge my fellow Senators to join this bipartisan effort and show their commitment to ending age discrimination in the workplace.

VOTING RIGHTS ACT

Mr. LEAHY. Mr. President, nearly 50 years ago, Martin Luther King, Jr., gave his historic “I Have a Dream” speech in front of hundreds of thousands of people on the National Mall. At the time, I was entering my last year of law school. I was inspired by the March on Washington and knew that history was being made before my very eyes. The youngest speaker at the March was a compelling man by the name of JOHN LEWIS. Many spoke of their unyielding support for civil rights legislation, but JOHN LEWIS demanded more. He demanded that the civil rights bill protect the right of every American to vote free from discrimination. With his strong and forceful voice, he proclaimed that “One man, one vote is the African cry. It is ours too. It must be ours.”

A year and a half later, JOHN LEWIS would lead another march across the Edmund Pettus Bridge in Selma, AL. There, State troopers brutally beat, bloodied, and trampled JOHN LEWIS and the group of peaceful marchers he led.

Those powerful images from “Bloody Sunday” were captured on television and in vivid photographs, and would become a catalyst for the passage of the Voting Rights Act. When President Lyndon Johnson signed the act into law several months later, he fittingly gave one of the pens to JOHN LEWIS.

The Voting Rights Act has become the most successful piece of civil rights legislation in this Nation's history. It has worked to protect the Constitution's guarantees against racial discrimination in voting for nearly five decades. It has helped minorities of all races overcome major barriers to participation in the political process, through the use of such devices as poll taxes, intimidation by voting officials, registration and language barriers, and systematic vote dilution.

Despite the continuing evidence of racial discrimination in voting that Congress amassed in 2006, the Supreme Court recently issued a ruling that makes it more difficult to protect all Americans in exercising their sacred right to vote. In *Shelby County v. Holder*, a narrow majority of the Supreme Court held that the coverage formula for section 5 of the Voting Rights Act was unconstitutional. Section 5 provides a remedy for unconstitutional discrimination in voting by requiring certain jurisdictions with a history of discrimination to “pre-clear” all voting changes before they can take effect. This remedy is both necessary and important because it stops the discriminatory voting practice before our fellow Americans' rights are violated. By striking down the coverage formula for section 5, the Court's ruling leaves this effective protection unenforceable.

Two weeks ago, I began a bipartisan conversation to restore the protections of the Voting Rights Act when I chaired a hearing before the Senate Judiciary Committee. The hearing included meaningful testimony from JOHN LEWIS and JIM SENSENBRENNER. Both agreed that protecting the right to vote from discriminatory practices is neither a Democratic issue nor a Republican issue. It is an American issue.

At this hearing, Republican City Commissioner Luz Urbáez Weinberg of Aventura, FL, also testified to the need to restore the protections of section 5 of the Voting Rights Act. She urged Congress to demonstrate a “clear and principled commitment to equal voting rights for all Americans regardless of race, language spoken, and to also act swiftly to restore the protections.” Moreover, she made clear that maintaining the Voting Rights Act “is not a partisan issue. It is a nonpartisan issue. It is an issue for all Americans. Whether Republicans or Democrats, all Americans strongly believe in fair and equal electoral opportunities.”

It is true that America has made a lot of progress since the Voting Rights Act was first enacted. Nobody denies this. But we are far from achieving the dream that Dr. King spoke of on that

magnificent day in August of 1963. Although the Supreme Court struck down the coverage formula in the *Shelby County* case, the Justices acknowledged, as they must and as the American people recognize, that discrimination in voting continues to be a problem. As the Chief Justice rightly noted in the majority opinion, "voting discrimination still exists; no one doubts that." The question only remains how best to protect Americans against this discrimination.

This is an issue on which Republicans and Democrats have always come together on. Every reauthorization of the Voting Rights Act, including its initial passage, has been marked by the overwhelming support of lawmakers of both parties. In the last few weeks, I have heard people say that Congress is too gridlocked and will not act on voting rights. That is wrong and it is unsupported by our tradition of leadership on this issue. As my friend Senator GRASSLEY said at the Senate Judiciary Committee voting rights hearing I chaired 2 weeks ago, "Cynicism and defeatism have never before characterized reauthorization of the Voting Rights Act." Senator GRASSLEY is right. History shows that we have reauthorized the act time and again because it is a nonpartisan issue.

Those who forecast failure also underestimate what a person like JOHN LEWIS can accomplish. I, for one, would never underestimate JOHN LEWIS's tenacity and ability to bring people together.

The Supreme Court's ruling last month was a setback to the cause of equality. However, we should see it as a calling for Congress to come together to meet the voting discrimination which persists with a steadfast resolve. It is up to us to meet this challenge. We must work together as a Congress—not as Democrats or Republicans, but as Americans—to ensure that we protect against racial discrimination in voting. We can only do that with a strong Voting Rights Act.

Earlier today, at the bipartisan and bicameral event marking the 50th Anniversary of the March on Washington in Statuary Hall, JOHN LEWIS said, "We have come a great distance but we are not finished yet." I could not agree more. Let us continue to work to protect the fundamental right to vote for all Americans.

Ms. MIKULSKI. Mr. President, I rise today to speak on an important anniversary in our country. In just a few weeks, we will commemorate the 50th anniversary of the famous March on Washington. On August 28, 1963, we marched. We marched for jobs, for justice, for the economy, and for freedom.

I remember that march. I was getting ready to go back to school. Baltimore was a staging location, and many social workers helped as marchers came down from New York and Pennsylvania. These determined individuals—a diverse group—all with a story and a cause, made up the nearly 250,000 people who marched that day. It was an important testament to the power of a

collective voice, one in support of equal rights and treatment of all. And it was this collective voice that helped lead to the passage of the Civil Rights Act and the Voting Rights Act.

We have had many victories, and made much progress in ensuring equality for all. We have elected a Black President to the White House, passed the Lily Ledbetter Fair Pay Act, repealed DOMA and Don't Ask Don't Tell. We have accomplished so much, but we still have so far to go. The fight for civil rights is far from over. Racial, religious and gender violence continues in our streets and in our homes. Voters rights have been threatened by the recent Supreme Court decision, leaving Americans vulnerable to prejudice and intimidation. And so we find ourselves, 50 years later, fighting many of the same fights.

We need to reclaim that bill of rights, and not let any court decision take it away from us. They are chopping away at the Voting Rights Act, but let's change the law if we have to. Let us march for our liberties and the people who were there, and said "ain't I a man", later calling on the words "ain't I a woman".

So it is important now more than ever to hold that dream of Dr. King in our hearts. Let's remember the history that was written here 50 years ago. And just as we marched then, we need to march today. Together we can end injustice. Together we can break down barriers to equality, so that all people regardless of race, faith or gender can live in a country that never promised anything less than their undeniable rights to life, liberty and the pursuit of happiness.

SERVICEMEMBER STUDENT LOAN AFFORDABILITY ACT

Mr. DURBIN. Mr. President, we've made a lot of progress over the past couple weeks helping our Nation's students borrow at reasonable costs for their higher education needs. This year alone, students are projected to borrow \$21 billion in federal student loans. Borrowers currently carry about \$1.1 trillion in student loan debt.

Several Federal programs help borrowers having trouble keeping up with student loan debt. Two programs in particular are designed to recognize the sacrifice made by those who serve our country—whether it's in the military or through public service.

The Servicemember Civil Relief Act protects our servicemembers from interest rates above 6% on all loans—including student loans taken out preservice—while they are on active duty. The Public Service Loan Forgiveness program encourages people to become public servants by forgiving student loan debt after 10 years of public service—including military service. Under this program borrowers must enroll in a qualifying repayment plan and make 10 years of payments while working in public service before the loan is forgiven.

To be eligible, borrowers with Perkins or Federal Family Education

Loans must consolidate their loans into a Direct Consolidation Loan to be eligible for the Public Service Loan Forgiveness program. However, there's an unintended consequence at play here.

Once a servicemember consolidates his or her preservice loans to qualify for the Loan Forgiveness program, those loans no longer qualify for the 6 percent rate cap under the Servicemember Civil Relief Act. This is because consolidation or refinancing of old debt is considered a new loan under the Servicemember Civil Relief Act.

Unfortunately, this forces servicemembers to choose between the 6 percent rate cap now while they are on active duty and enrolling in a program that will forgive their loans after 10 years of service and steady payments. Furthermore, this quirk in the law prevents servicemembers from taking advantage of historically low interest rates by refinancing. A lower interest rate could save borrowers thousands of dollars over the life of the loan.

Congress' intent was to help servicemembers burdened with student loan debt, and the Servicemember Civil Relief Act and the Public Service Loan Forgiveness Programs have done that. But forcing servicemembers to give up the rate cap today for a chance to earn loan forgiveness in the future is not what Congress intended, and we should fix it.

This week I introduced the Servicemember Student Loan Affordability Act. This bill would allow preservice private or Federal student loan debt to be consolidated or refinanced while retaining the 6 percent rate cap. This tweak to the law would allow servicemembers to participate in both beneficial programs. My bill is supported by the:

Center for Responsible Lending, National Consumer Law Center, National Guard Association of the United States, NGAUS, the Retired Enlisted Association, TREAA, Veterans of Foreign Wars VFW, and Woodstock Institute.

We have made substantial progress for students in recent weeks, and more work is ahead as we address the rising student loan debt. This is a small change to the law, but it will have a big impact on servicemembers with large student loan debt. Congress continues to try to address the financial challenges facing our nation's middle class, working families, and students. This fix is one of many steps toward that effort.

I urge my colleagues to consider a simple solution to help servicemembers, and I hope they will support the Servicemember Student Loan Affordability Act.

TRIBUTE TO DAVID F. VITE

Mr. DURBIN. Mr. President, I am honored today to pay tribute to my

friend David Vite on his retirement from the Illinois Retail Merchants Association, IRMA. He spent 35 years with the Illinois retailers, helping businesses across the State of Illinois engage with government and better serve their communities.

David has a long history of service. After serving in the Army, he went to college in Wisconsin and graduated from the University of Wisconsin at LaCrosse. This must be where he developed his affinity for the Green Bay Packers. In all of the time David spent in Illinois, he never adopted our very own Chicago Bears. He remains to this day a loyal Packers fan.

Early in his career, David became the Executive Director of the Woodstock Chamber of Commerce and oversaw community developments in Woodstock, IL. By 1978, David had joined the Illinois Retail Merchants Association as a field representative. Within 3 years, the Association had promoted him to Vice President of Government Affairs and not long after that, David Vite took over as President.

As President, David was determined to help resolve the challenges facing Illinois retailers and at the same time to create opportunities for them. He provided training for his members to help them promote sales. He created a school-to-work training program to help cultivate the next generation of retail leaders. He led an effort to publish a manual to help merchants become more environmentally friendly. And throughout his tenure, he was the voice for business as Illinois policymakers addressed dilemmas in unemployment insurance, worker's compensation, and sales taxes.

I can't thank David enough for the support he helped build across Illinois for the Marketplace Fairness Act. I am proud to say that in May, the Senate passed this bill by a vote of 69-27, helping to level the playing field for retailers in Illinois and across the country. With David's help, we were able to communicate with retailers in every corner of Illinois to better understand the need and urgency for tax fairness legislation.

I would like to thank David for his leadership and many contributions over his decades of work with communities and business. Illinois retail has been lucky to have had such a strong, good-willed advocate. I wish him the very best in his retirement.

CLEAN CRUISE SHIP ACT OF 2013

Mr. DURBIN. Mr. President, last week, I introduced the Clean Cruise Ship Act to limit the dumping of wastewater by cruise ships.

Cruise ships generate millions of gallons of wastewater every day, and currently these ships can dump their waste directly into the oceans with minimal oversight.

The Clean Cruise Ship Act would require these ships to obtain permits through EPA's National Pollutant Dis-

charge Elimination System to be able to discharge sewage, graywater, and bilge water.

It also would require cruise ships to upgrade their wastewater treatment systems to meet the standards of today's best available technology. This technology significantly reduces the pollutants that ships discharge and is already being used successfully on some cruise ships.

The problem is real. The number of cruise ship passengers has been growing nearly twice as fast as any other mode of travel.

In the U.S. alone, cruise lines carried over 10 million passengers in 2011, with some ships carrying 8,000 passengers or more.

These ships produce massive amounts of waste: one ship can produce over 200,000 gallons, or 10 backyard swimming pools, of sewage each week; a million gallons of graywater from kitchens, laundry, and showers; and over 25,000 gallons of oily bilge water that collects in ship bottoms.

I have nothing against cruise vacations. They can be a wonderful way to visit many beautiful places.

In fact, it is because these ships sail often into these beautiful, sensitive environments that we need to be particularly careful of the pollution they release into those waters.

Here is the unpleasant reality. Within 3 miles of shore, vessels can discharge wastewater from toilets and showers into the ocean provided that a "marine sanitation device" is installed.

However, a 2008 report released by the Environmental Protection Agency concluded that these systems simply do not work.

The devices allow ships to discharge waste that consistently exceeds national effluent standards for fecal coliform and other pathogens and pollutants.

In fact, fecal coliform levels in effluent are typically 20 to 200 times greater than in untreated domestic wastewater.

While cruise ships must obtain permits to discharge graywater within 3 miles of the coast, graywater should not go directly into the sea.

Graywater from sinks, tubs, and kitchens contain large amounts of pathogens and pollutants.

Fecal coliform concentrations, for example, are 10 to 1,000 times greater than those in untreated domestic wastewater.

These pollutants sicken our marine ecosystems, wash up onto our beaches, and contaminate food and shellfish that end up on our dinner plates.

Even worse, beyond 3 miles from shore there are no restrictions on sewage or graywater discharge. Cruise ships can actually dump raw sewage directly into U.S. waters.

The Clean Cruise Ship Act seeks to address these practices.

No discharges would be allowed within 12 miles of shore.

Beyond 12 miles from shore, discharges of sewage, graywater, and bilge water would be allowed, provided that they meet national effluent limits consistent with the best available technology. That technology works and is commercially available now.

Under this legislation, the release of raw, untreated sewage would be banned. No dumping of sewage sludge and incinerator ash would be allowed in U.S. waters.

All cruise ships calling on U.S. ports would have to dispose of hazardous waste in accordance with the Resource Conservation and Recovery Act.

The bill would establish inspection and enforcement mechanisms to ensure compliance.

The protection of U.S. waters is vital to our nation's health and economy. The oceans support the life of nearly 50 percent of all species on Earth.

Some cruise ship companies already are trying to improve their environmental footprint. They also want to preserve the environment—it is the natural beauty of the sea that attracts their passengers.

But the efforts between cruise ship companies are not uniform. A federal standard would apply one set of requirements to all companies.

It is time to bring the cruise ship industry into the 21st century. It is time to update the laws that protect our oceans and urge adoption of the best available wastewater treatment technology at sea.

Working together, we can support the industry while protecting the natural treasures that are our oceans. The approach taken in the Clean Cruise Ship Act will move us toward that goal.

I encourage my colleagues here in the Senate to work with me to pass legislation that will put a stop to the dumping of hazardous pollutants along our coasts. Together we can clean up this major source of pollution that is harming our waters.

REMEMBERING DR. JOHN M. SMITH JR.

Mr. McCONNELL. Mr. President, I rise to pay tribute to an honored Kentuckian who, sadly, has been lost to us after a long and fruitful life. The man I speak of is Dr. John M. Smith Jr. of Beattyville, KY. Born in Hazard, KY, in 1922, he passed away on June 15 of this year. He was 91 years old.

Dr. Smith was revered in his community as a man of medicine. In the 1940s, he was one of the first recipients of the Rural Kentucky Medical Scholarship Fund, and graduated from the University of Louisville School of Medicine in 1949. He has worked in Morehead, Lexington, Woodford County, and most of all in Beattyville, where he served as a general practitioner for 38 years until the age of 90. Generations of Beattyville-area Kentuckians knew and loved Dr. Smith as their primary-care doctor.

Dr. Smith also proudly served his country in both World War II and the Korean War. In 1942, he enlisted in the U.S. Navy and served in both the Atlantic and Pacific campaigns of World War II. He then volunteered to serve as a medical officer at the Louisville, KY, recruiting station during the Korean War.

Dr. Smith received many accolades and recognitions from his community, and will be missed by a great many beloved family members and friends, including his wife of 54 years, Patty. Elaine and I send our thoughts and prayers to the Smith family for their loss. And I know my colleagues in this U.S. Senate join me in recognizing the long and accomplished life of service led by Dr. John M. Smith Jr.

Mr. President, I ask unanimous consent that the obituary for Dr. Smith that appeared in the Lexington Herald-Leader be printed in the RECORD.

There being no objection, the obituary was ordered to appear as follows:

[From the Lexington Herald-Leader, June 18, 2013]

JOHN SMITH: OBITUARY

BEATTYVILLE.—Dr. John M. Smith, Jr., 91, of Beattyville, KY, the son of John M. and Treva Smith, was born April 9th, 1922, in Hazard, KY, and passed away June 15th, 2013. He was a practicing physician for 61 years. He was one of the first graduates from Caney Creek College, now known as Alice Lloyd College in Pippa Passes, KY. After graduating from the University of Kentucky, Phi Beta Kappa, in 1942, he enlisted in the United States Navy and served as a first lieutenant aboard the U.S.S. *Weeden*, serving in both the Atlantic and Pacific campaigns of World War II.

Upon his honorable discharge, he was selected as one of the first recipients of the Rural Kentucky Medical Scholarship Fund, and entered and graduated from the University of Louisville School of Medicine in 1949. Following his medical internship, he extended his service to our country by volunteering for the Korean War, serving as a medical officer at the Louisville, KY, recruiting station. At the time of his discharge on July 6th, 1951, he opened his first medical practice 10 days later in Beattyville, KY. In 1962, he left Beattyville temporarily to practice in the field of radiology working at Morehead Hospital, Woodford County Hospital, and the Lexington Clinic. In June 1974, he returned to Beattyville as a general practitioner—his true love and passion—faithfully serving the patients he loved for the next 38 years until the age of 90.

He was a member of the Masonic Proctor Lodge 213 and the Lee County Shrine Club, VFW Post 11296, and the Kentucky Medical Association. He served as the Medical Director of the Lee County Constant Care and Geri Young House and a member of the Lee County Board of Health. Dr. Smith is survived by his wife, Patty, of 54 years; sons John S. (Vivian) of Beattyville, KY, Robert of Versailles, KY, William (Kim) of Arlington, VA, Sparkman, Daniel (Jo, Martha), Giletta, and John A., all of Lexington, KY; one brother, Luther (Rosemary), Beattyville, KY; two sisters, Janet (Glenn) Moore, Scottsburg, IN, and Joan Tilford, Falls of Rough, KY; 17 grandchildren and 11 great-grandchildren.

Visitation will be Wednesday, June 19th from 6 to 8 p.m. and Thursday, June 20th from 10 to 11 a.m. at Saint Thomas Episcopal

Church in Beattyville. Funeral services will be Thursday, June 20th at 11 a.m. also at Saint Thomas Episcopal Church with The Reverend Bryant Kibler officiating. Burial will follow at the Lexington Cemetery, Lexington, KY.

SYRIA

Mr. MCCAIN. Mr. President, as we prepare to head out for the August recess, I have returned to the floor today to speak, once again, about the horrific and worsening situation in Syria—a conflict that, we learned this week, has now claimed 100,000 lives.

I would like to take a few minutes to read from a remarkable statement that was delivered on Monday by Mr. Paulo Pinheiro, the chair of the United Nations Independent International Commission of Inquiry on Syria. The excerpts I wish to read are long, but they are shocking, and worth quoting in full.

Here is the assessment Mr. Pinheiro gave to the U.N., and I quote:

Syria is in free-fall. Relentless shelling has killed thousands of civilians and displaced the populations of entire towns. An untold number of men and women have disappeared while passing through the ubiquitous checkpoints. Those freed from detention are living with the physical and mental scars of torture. Hospitals have been bombarded, leaving the sick and wounded to languish without care. With the destruction of thousands of schools, a generation of children now struggle to obtain an education. The country has become a battlefield. Its civilians are repeatedly victims of acts of terror.

Mr. Pinheiro concludes with this powerful plea for action:

That civilians should come under such sustained unlawful attacks should shock your conscience and spur you to action. But it has not. As the conflict drags on, you—and the world—have become accustomed to levels of violence that were previously unthinkable . . .

It is time for the international community to act decisively. There are no easy choices. To evade choice, however, is to countenance the continuation of this war and its many violations . . . The world must hear the cry of the people—stop the violence, put an end to this carnage, halt the destruction of the great country of Syria!

Again, this is not my assessment; it is that of a senior United Nations leader. And I applaud Mr. Pinheiro for his moral leadership on behalf of the Syrian people. At the same time, I say with the utmost respect that I disagree with Mr. Pinheiro's counsel for what is required to achieve the goal we share, which is to create conditions that favor a negotiated end to the conflict in Syria. I continue to believe that, while there is not a purely military solution to the conflict in Syria, I find it difficult to avoid the conclusion that military intervention by the United States and our allies must be a critical part of the solution we seek. Indeed it is unrealistic to think we can arrive at a diplomatic solution otherwise.

Let's be absolutely clear about the realities in Syria today and where this conflict is headed. Assad is never going to negotiate himself out of power or

seek to end the conflict diplomatically so long as he believes he is winning on the battlefield, and right now, he clearly has the advantage on the ground. This is thanks, in critical part, to his air power, which not only allows Assad to pound opposition military positions and civilian populations—including with chemical weapons, which nearly everyone believes he has used and will use again—but also to move his troops and supplies around the battlefield in ways that he cannot do on the ground.

Assad's growing military advantage is also thanks to the influx of thousands of Hezbollah fighters who are leading offensives in key parts of the country, Iranian special forces who are training and advising Assad's troops and private militias, Shia militants from Iraq and Lebanon, as well as a steady and decisive flow of weapons and other assistance from Iran and Russia, which is being brought into Syria with impunity, including through overflights of Iraq.

The consequences of this onslaught for Syria are bad enough. The strategically vital city of Homs is expected to fall imminently, which would be a major victory for Assad that would strengthen his position immeasurably. The consequences for the region, however, are arguably worse. Syria's main export today is its civilian population, which is flooding into Turkey, Lebanon, and Jordan, by the hundreds of thousands. Indeed, 15 percent of Jordan's population is now Syrian refugees, and the fourth largest city in the country is now a Syria refugee camp.

At the same time, Syria's primary import today seems to be foreign extremists from all across the region and indeed the world. It is well known from estimates in published reports that as many as several thousand people from all across the Middle East have moved into Syria to fight with Al Qaeda and other extremist groups. But, in addition, the New York Times reported this week that Western counterterrorism and intelligence officials now believe that hundreds of Muslims from Western countries have joined the fight in Syria, including 140 French, 75 Spaniards, 60 Germans, a few dozen Canadians and Australians, as well as fighters from Austria, Belgium, Denmark, Finland, Iceland, Italy, Norway, Sweden, and the Netherlands. As many as a dozen Americans are believed to be among them. It is difficult to conclude that Al Qaeda does not enjoy safe haven in Syria today, and no one should believe that it won't be used eventually to launch attacks against us.

Make no mistake, this is where we are headed. Syria is becoming a failed state in the heart of the Middle East and a safe haven for Al Qaeda and its allies. It is becoming a regional and sectarian conflict that threatens the national security interests of the United States. And it is becoming the decisive battleground on which Iran and its allies are defying the United

States and our allies and prevailing in a test of wills, which is fundamentally undermining America's credibility among both our friends and enemies throughout the region and the world.

Some may see this as an acceptable outcome. I do not.

I know Americans are war weary. I know the situation in Syria is complex, and there are no easy answers. That said, all of us must ask ourselves one basic question: Are the costs, and risks, and potential benefits associated with our current course of action better or worse than those associated with America becoming more involved militarily in Syria? I believe our current course of action is worse, because it virtually guarantees all of the bad outcomes that are unfolding before our eyes and getting worse and worse the longer this conflict grinds on.

Now, some would have us believe that military action of even a limited nature is too cost intensive, too high risk, and too marginal in its potential impact in Syria. In a letter dated July 19, 2013, to the chairman of the Armed Services Committee and myself, the Chairman of the Joint Chiefs of Staff, GEN Martin Dempsey, described the requirements to conduct various military options in Syria. He spoke of scenarios that would demand hundreds of military assets and thousands of special forces to resource military options that no one is seriously considering.

Now, in my many years, I have seen a lot of military commanders overstate what is needed to conduct military action for one reason or another. But rarely have I seen an effort as disingenuous and exaggerated as what General Dempsey proposed.

The option that many of us have proposed is limited standoff strikes to degrade Asad's air power and ballistic missile capability. But here is General Dempsey's description of what would be needed to conduct "limited standoff strikes":

Potential targets include high-value regime air defense, air, ground, missile, and naval forces as well as the supporting military facilities and command nodes. Stand-off air and missile systems could be used to strike hundreds of targets at a tempo of our choosing. Force requirements would include hundreds of aircraft, ships, submarines, and other enablers. Depending on duration, the costs would be in the billions.

This is a completely disingenuous description of both the problem and the solution. No one is seriously talking about striking Asad's naval forces as part of a limited campaign. And no one seriously thinks that degrading Asad's air power would require hundreds of American military assets. The whole thing is completely misleading to the Congress and the American people, and it is shameful.

For a serious accounting of a realistic limited military option in Syria, I would strongly recommend a new study that is being released today by the Institute for the Study of War, or ISW, which was overseen by GEN Jack Keane, the author of the surge strategy

that enabled us to turn around the war in Iraq. This new study confirms what I and many others have long argued: That it is militarily feasible for the United States and our friends and allies to significantly degrade Asad's air power at relatively low cost, low risk to our personnel, and in very short order—and to do so, I want to stress, without putting any U.S. boots on the ground.

Specifically, the ISW study reports that Asad's forces are only flying a maximum of 100 operational strike aircraft at present, an estimate that ISW concedes is likely very generous to the Asad regime. The real figure, they maintain, is more likely around 50. What is more, these aircraft are only being flown out of 6 primary airfields, with an additional 12 secondary airfields playing a supporting role. What this means is that the real-world military problem of how to significantly degrade Asad's air power is very manageable—again, as I and others have maintained.

ISW calculates that U.S. and allied forces could significantly degrade Asad's air power using standoff weapons that would not require one of our pilots to enter Syrian airspace or confront one Syrian air defense system. With a limited number of these precision strikes against each of Asad's eight primary airfields, we could crater their runways, destroy their fuel and maintenance capabilities, knock out key command and control, and destroy a significant portion of their aircraft on the ground. The ISW study estimates that this limited intervention could be achieved in 1 day and would involve a total of 3 Navy surface ships and 24 strike aircraft, each deploying a limited number of precision-guided munitions—all fired from outside of Syria, without ever confronting Syrian air defenses.

This should not come as a surprise. After all, hitting static targets from a distance is what the U.S. military does best. And hitting static targets in Syria, without ever confronting Syrian air defenses inside of Syrian airspace, is something that our Israeli allies now seem to have done on several occasions. Surely we can too.

There are other things we should do in conjunction with targeted strikes against Asad's air power. We could expand the list of targets to include Asad's ballistic missiles, as well as key regime command-and-control sites. This would be an equally minimal number of targets that could be hit with the same standoff weapons. We should also stand up a far larger train-and-equip operation than what published reports suggest has been authorized to date. What all of the Syrian opposition leaders have told me their forces need most of all is antitank weapons that can destroy Asad's artillery and armor, which would remain a major threat even if we significantly degrade Asad's air power. We should give the Syrian opposition these kinds

of capabilities to level the playing field themselves.

If we were to do all of these things—degrade Asad's air power and ballistic missiles and train, equip and advise the opposition on a large scale—it probably would not end the conflict in Syria immediately. But it could turn the tide of battle against Asad's forces and in favor of the opposition, and begin to create conditions on the ground that could make a negotiated end to the conflict possible.

We cannot afford to lose the moral dimension from our foreign policy. If ever a case should remind us of this, it is Syria. Leon Wieseltier captured this point powerfully in *The New Republic* last month. His words are as true today as they were then, and I quote:

The slaughter is unceasing. But the debate about American intervention is increasingly conducted in "realist" terms: the threat to American interests posed by jihadism in Syria, the intrigues of Iran and Hezbollah, the rattling of Israel, the ruination of Jordan and Lebanon and Iraq. Those are all good reasons for the president of the United States to act like the president of the United States. But wouldn't the prevention of ethnic cleansing and genocidal war be reason enough? Is the death of scores and even hundreds of thousands, and the displacement of millions, less significant for American policy, and less quickening? The moral dimension must be restored to our deliberations, the moral sting, or else Obama, for all his talk about conscience, will have presided over a terrible mutilation of American discourse: the severance of conscience from action.

We have had these debates before. In Bosnia, and later in Kosovo, we heard many arguments against military intervention that we now hear about Syria. It was said that there was no international consensus for action, that the situation on the ground was messy and confused, that it was not clear who we would actually be helping, and that our involvement could actually make matters worse. Fortunately, we had a President who led—who explained to the American people what the stakes were in the Balkans, and why we needed to rise to the role that only America could play. Here is how President Bill Clinton described Bosnia in 1995:

There are times and places where our leadership can mean the difference between peace and war, and where we can defend our fundamental values as a people and serve our most basic, strategic interests. [T]here are still times when America and America alone can and should make the difference for peace.

Nearly two decades ago, I worked with both my Democratic and Republican colleagues in Congress to support President Clinton as he led America to do the right thing in stopping mass atrocities in Bosnia. The question for another President today, and for all of my colleagues in this body, indeed for all Americans, is whether we will once again answer the desperate pleas for rescue that are made uniquely to us, as the United States of America.

REMEMBERING COLONEL GEORGE "BUD" DAY

Mr. GRASSLEY. Mr. President, I would like to take time today to honor the life of a very brave man, and an exemplary Iowan, Col. George "Bud" Day, who passed away over the weekend.

Bud Day's brave and memorable military career started at the age of 17, when he volunteered for the Marine Corps during World War II in Sioux City, IA.

After this period of service, Bud returned home, and received a law degree from the University of South Dakota.

His military service to this country, however, would resume.

Bud Day joined the Air National Guard in 1950 and was called up for active duty a year later during the Korean War.

By 1955 he had become a captain with the Air Force.

With the same go-getter attitude he displayed throughout his service, then Captain Day went on to command a squadron of F-100s in Vietnam in 1967.

On August 26, Bud's plane was hit and took a steep dive. Upon ejection he sustained many injuries.

Shortly after the crash, Bud was taken prisoner and tortured.

Maintaining his unflagging spirit and fueled by his love for his country, Bud Day refused to cooperate and escaped his captors. Surviving treacherous conditions and life-threatening situations every minute, Bud spent 2 weeks trying to find U.S. troops.

His efforts left him exhausted and he was later recaptured and returned to the same camp he had escaped from.

He was then moved to the infamous "Hanoi Hilton" camp where torture was commonplace for the next 5 years of his life until his release in 1973.

Even after all of this, Bud Day resumed his service with the U.S. Air Force, and was appointed vice commander of the 33rd Tactical Fighter Wing at Eglin Air Force Base, FL.

Three years after his release from the Hanoi Hilton, Bud received the Medal of Honor from President Gerald Ford for not divulging information in the face of torture, thereby putting his own life in imminent risk to save others.

He has also received numerous other awards and recognitions such as the Air Force Cross for extraordinary heroism in military operations against an opposing armed force as a POW, making him one of America's most decorated servicemen.

Bud Day remained public spirited even after his military service, continuing to advocate for veterans and other causes that were important to him.

His life of service is a tremendous role model for future generations and he will be missed.

I am proud to have been able to call Bud Day an Iowan and a friend.

VOTE EXPLANATION

Mr. CHIESA. Mr. President, due to a long standing personal commitment, I was unable to cast votes on rollcall vote Nos. 188 through 194. Had I been present, I would have voted yes on No. 188; I would have voted no on No. 189; I would have voted no on No. 190; I would have voted no on No. 191; I would have voted no on No. 192; I would have voted no on No. 193; and I would have no on No. 194.

REMEMBERING KAREN PAULSON

Mr. HELLER. Mr. President, I wish to offer a tribute honoring the life and service of Karen Paulson, who passed away this week. Karen was a friend and a dedicated, hard-working member of my staff for a number of years. She also served as an aide to several other Members of Congress, including Congressman Jon Porter from my home State of Nevada, and House Speaker JOHN BOEHNER.

Karen was a tremendously talented administrator who cared deeply about public service. She was an individual upon whom many others relied. Karen could always be counted on for her steadfastness and initiative. She was an attentive problem-solver and was ever eager to help make things simpler for her colleagues however she could. I can personally attest to her commitment to excellence in whatever role she held, and I am deeply grateful for the special years she spent as a member of my staff.

While Karen will be dearly missed, her service and her spirit will be long remembered. I ask my colleagues to join me in remembering this dedicated public servant, and offer my deepest condolences to Karen's family and loved ones during this difficult time.

SEA OF CHANGE

Mr. LEE. Mr. President, on April 16, 2013 President Ma Ying-jeiou of Taiwan gave a speech on a videoconference with Center on Democracy, Development and the Rule of Law at Stanford University. I feel my colleagues could benefit from reading this speech. I ask unanimous consent to have printed in the RECORD President Ma Ying-jeiou's speech.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

I. OPENING REMARKS

Professor Rice, Professor Diamond, Professor Fukuyama, Admiral Roughead, distinguished guests, faculty members and students of Stanford University, ladies and gentlemen: Good evening! It's your evening now, but it's our morning here in Taipei.

Before I start, I want to pay my deep condolences to those victims suffered by the explosions happened at Boston Marathon on Monday. My prayers and thoughts are with their family members. In the meantime, I also strongly condemn the violence on behalf of the government of the Republic of China (Taiwan).

It is a great pleasure to be addressing my friends at Stanford University this evening. Stanford University has long been a distinguished center of learning. Under the guidance of Professor Diamond, the Center on Democracy, Development, and the Rule of Law, through the Journal of Democracy, has made incomparable contributions to the study of democracy. Since Taiwan represents a shining example of how democracy can take root in the Chinese-speaking world, it is only fitting to join you today for this video-conference.

II. CHANGES IN EAST ASIA

Since I took office as President of the Republic of China in 2008, the geopolitical situation in East Asia has undergone tremendous change. Five years ago, there were two flash points: the Korean Peninsula and the Taiwan Straits. Today, the Korean Peninsula is at an unprecedented level of tension: North Korea has conducted a third nuclear test explosion, and in the aftermath of the resulting UN sanctions continues its saber rattling, even claiming that it has abrogated the 1953 Armistice Agreement that ended Korean War fighting 60 years ago. In contrast, tensions in the Taiwan Straits have been greatly reduced, and relations between Taiwan and mainland China continue to advance toward peace and prosperity.

This does not necessarily mean, however, that only one potential source of instability remains in East Asia. Geopolitical competition in both the East China Sea and the South China Sea is growing more intense even as the drive toward regional economic integration continues. In addition, three of the major players in East Asia—mainland China, South Korea and Japan—have changed leadership in the last eight months, while here in Taiwan, I was elected to a second term of office early last year.

Thus, amidst the uncertainty resulting from such changes, the Republic of China on Taiwan remains firmly committed to fostering peace and stability, and is a strong proponent of the liberal values cherished by democracies worldwide. It is against this backdrop that I would like to discuss how my administration has steered Taiwan through this sea of change.

III. HOW CROSS-STRAIT RAPPROCHEMENT WAS ACHIEVED

I decided to seek rapprochement with mainland China long before I took office in 2008. To ensure peace in the Taiwan Straits after some sixty tumultuous years, my administration had to meet both the challenges of establishing mutual trust between the two sides of the Taiwan Straits and of rebuilding Taiwan's strength so that peace could be guaranteed.

From the start, the "92 Consensus" was a critical anchoring point for Taiwan and mainland China to find common ground on the otherwise intractable issue of "One China." The consensus, reached between the two sides in 1992, established a common understanding of "one China with respective interpretations." With this understanding as the foundation, my administration designed a number of modus operandi that broadly defined how Taiwan would pursue peace and prosperity with mainland China. These included iteration of the "Three No's"—"No Unification, No Independence, and No Use of Force"—under the framework of the ROC Constitution. This formulation, grounded de jure in the 1947 Constitution of the Republic of China, sets clear parameters for how both parties can work to move the relationship forward in a positive direction without misunderstandings or hidden agenda, so as to build mutual trust and achieve mutual benefit for the people on either side of the Taiwan Straits.

"Beating swords into ploughshares" requires pragmatism and the wisdom to remain focused on what can be accomplished in spite of past differences. So we then called for "mutual non-recognition of sovereignty, mutual non-denial of governing authority" allowing both sides to pursue substantive exchanges without being derailed by disagreements over sovereignty issues.

We also spelled out clearly to the other side, as well as to the Taiwan public, how we intended to proceed with the cross-strait dialogue. The priority of issues for the two sides to address would be "pressing matters before less pressing ones, easy matters before difficult ones, and economic matters before political ones". My administration firmly believed in setting a clear agenda from the start, to prevent the cross-strait dialogue being bogged down by intractable issues when we could see that agreement might be found on many others. The goal is to build mutual trust which is fundamental for long-term progress in developing a peaceful cross-strait relationship. I firmly believe that this "building-blocks" approach is the only way to achieve lasting peace in the Taiwan Straits.

The result of this is 18 agreements concluded between Taiwan and mainland China over the past five years, covering such issues as direct flights, tourism, economic cooperation, intellectual property rights, nuclear safety, and mutual judicial assistance. Let me just give you an example of how things stand now. Five years ago, there were no scheduled flights between Taiwan and the mainland, now there are 616 scheduled flights per week. Five years ago, there were 274,000 mainland people visiting Taiwan, in 2012, there were 2.5 million people. When the SARS epidemic first broke out in 2003, mainland China completely ignored Taiwan's needs and concerns. But when the H7N9 avian flu struck recently, public health experts from both sides began working together to check its spread.

Over the next three years, the two sides are expected to complete negotiations on trade in services and trade in goods under the 2010 Economic Cooperation Framework Agreement (ECFA). Both sides will also greatly expand the level of educational and cultural exchanges. For example, the number of students from mainland China studying in Taiwan, which currently is 17,000 a year, is expected to rise and there will be more cross-strait cultural cooperation. Each side also intends to set up offices in major cities on the other side to take better care of the 7 million people and over 160 billion US dollars' worth of goods and services moving across the Taiwan Straits last year alone. As a result, cross-strait relations are now the most stable and peaceful that they have been in over 60 years.

IV. TAIWAN'S ENHANCED INTERNATIONAL PRESENCE

As cross-strait relations continue to develop peacefully, Taiwan is gaining an enhanced international presence. The clear parameter articulated by my administration as we began resumption of the cross-strait dialogue counter any mistaken attempt to link Taiwan's greater international participation to an agenda of "two Chinas", "one China, one Taiwan", or "Taiwan Independence". Taiwan today strives to conduct itself as a responsible stakeholder, that is, as a facilitator of peace, a provider of humanitarian aid, a promoter of cultural exchanges, a creator of new technology and business opportunity, and the standard bearer of Chinese culture.

The international community has seen recently how Taiwan depicts itself as a responsible stakeholder and facilitator of peace.

Last August, my administration proposed an East China Sea Peace Initiative urging that negotiation take precedence over confrontation regarding the sovereignty dispute over the Diaoyutai Islets. The following November, Taipei and Tokyo began negotiations on an East China Sea fishery agreement. Sixteen rounds of such talks had been held since 1996 but no agreement was ever reached. This time, both sides decided to jointly conserve and manage fishery resources in the Agreement Area of the East China Sea, without changing their respective territorial and maritime claims regarding the Diaoyutai Islets. A fishery agreement was thus signed six days ago which safeguards the security of fishing boats from both sides in the Agreement Area twice the size of Taiwan. This agreement marks a historic milestone in the development of Taiwan-Japan relations and sets a good example for how the concerned parties can find ways to settle their disputes and preserve peace and stability in the region at the same time.

Our efforts over the past five years to enhance Taiwan's participation in the international community have also resulted in concrete progress. The Republic of China has kept intact its diplomatic relations with its 23 allies, and has enhanced its substantive relations with other countries. For instance, we signed an investment agreement with Japan in 2011, and are working to sign economic cooperation agreements with Singapore and New Zealand respectively in the near future. Meanwhile, our health minister has attended the World Health Assembly (WHA) of the WHO as an official observer since 2009, the same year as Taiwan acceded to the Government Procurement Agreement (GPA) of the WTO. For five years in a row, former Vice President Lien Chan at my request has attended as "leader's representative" the Leaders' Meeting of Asian-Pacific Economic Cooperation (APEC). On March 19 this year I led an official delegation to attend the investiture of Pope Francis, the first time for a ROC president to meet with a Pope in the last 71 years ever since the two countries established diplomatic ties in 1942. Taiwan's enhanced international presence attests to a virtuous cycle of improved cross-strait relations that encourages greater international support for allowing Taiwan further opportunities to play its role of responsible stakeholder. This in turn further enhances regional peace and stability, which is in the best interest of the international community.

V. TAIWAN-US TIES: SECURITY, ECONOMIC, AND CULTURAL

My administration is fully aware that strength is fundamental to achieving peace. When I took office five years ago, my administration worked promptly to restore high-level trust between Taipei and Washington. As former Secretary of State Hillary Clinton said in 2011 in Honolulu, Hawaii, Taiwan is an important security and economic partner of the United States. We deeply appreciate the relationship we have with the United States, including US arms sales to Taiwan. Only with a sufficient self-defense capability can Taiwan confidently engage in a dialogue with mainland China. The stability engendered by America's enhanced presence in the Western Pacific will certainly help.

The United States is Taiwan's third largest trading partner but remains the most important source of our technology. However large a trading partner mainland China is to Taiwan, the United States has always been an important trade and investment partner to Taiwan. The ICT (information and communication technology) industries are Taiwan's most important export sector and they are the largest recipient of U.S. investment.

After successfully resolving the beef import issue last year, the Republic of China resumed trade negotiations with the U.S. under the 1994 Taiwan-US Trade and Investment Framework Agreement (TIFA). Obviously, Taiwan needs to accelerate its pace of trade liberalization. For the good of its economic prosperity and national security, Taiwan cannot afford to be left out of the Trans-Pacific Partnership (TPP) and the Regional Comprehensive Economic Partnership (RCEP).

Culturally, American values and its high academic standards have attracted Chinese students since Yung Wing became the first Chinese student to study in the U.S. back in 1847. Generations of Chinese students who studied in the United States brought American values back to their homeland, making tremendous contributions to China's modernization, including the 1911 revolution. Today, the United States still remains the most sought after academic destination for Taiwan students.

Taiwan is grateful to the United States for letting Taiwan join the Visa Waiver Program beginning in November last year. The Republic of China is the 37th nation in the world to secure that status, and the only one that does not have formal diplomatic relations with the United States. The more than 400,000 Taiwan visitors to the U.S. each year not only take in American culture and natural scenery, they also shop very seriously in the United States and thus help reduce the U.S. trade deficit with Taiwan. In a word, relations between the Republic of China and the United States continue to thrive and grow since the end of formal diplomatic ties in 1979.

Nevertheless, Taiwan still faces many challenges with only limited resources at its disposal. In formulating Taiwan's national security strategy, my administration has steered Taiwan toward a tripartite national security framework. The first part involves institutionalization of the rapprochement with mainland China so that neither side would ever contemplate resorting to non-peaceful means to settle their differences. The second part involves making Taiwan a model world citizen by upholding the principles of a liberal democracy, championing free trade and providing foreign aid to the international community. The third part involves strengthening national defense capability. This national security strategy is formulated to facilitate peaceful and positive development of cross-strait ties while remaining grounded in pragmatic realization of the challenges we face. In other words, Taiwan and the United States share the same values and interests in preserving regional peace and stability.

VI. TAIWAN'S ULTIMATE VALUE: A BEACON OF DEMOCRACY

States in a security partnership frequently fear being entrapped or abandoned by their partners. In the past, some in the United States have expressed concern that as mainland China rises, Taiwan might someday entrap the United States in an unnecessary conflict with mainland China. Others fear that Taiwan is tilting toward mainland China, thus "abandoning" the United States. Both arguments imply that the United States should reduce support for Taiwan. But neither view is warranted. My administration's pursuit of rapprochement with mainland China has clearly helped preserve and enhance peace in the Taiwan Straits. My administration's adherence to the Constitution of the Republic of China legally rules out any possibility of a reckless change in the status quo.

Taiwan has so much in common with the United States, from our love of democracy,

to respect for human rights and the rule of law, to support for free trade, and even to an intense passion for basketball and baseball! We are also crazy about Jeremy Lin and Jianmin Wang! Taiwan cherishes its long-standing friendship with the United States and will always cherish the values and culture that the Chinese people have developed over five thousand years. Preserving the Republic of China has immense importance that goes far beyond the borders of Taiwan. For the first time in Chinese history, we in Taiwan have proved that democracy can thrive in a Chinese society. It presents shining ray of hope to the 1.3 billion Chinese people on the mainland. I know how much this means to the government and people of the United States, just as it does to my administration and the people of Taiwan.

Ladies and gentlemen, my administration will steer this democracy through the sea of change in East Asia. We will endeavor to strengthen peace and prosperity in the Taiwan Straits; and, in the meantime, we will strive for an enhanced international presence for Taiwan that allows it to play its role as a responsible stakeholder in the international community. I feel nothing but confidence about the future of the Republic of China!

Thank you.

ADDITIONAL STATEMENTS

TRIBUTE TO MICHAEL F. ADAMS

• Mr. CHAMBLISS. Mr. President, today I wish to pay tribute to the career of Dr. Michael F. Adams, who stepped down as president of the University of Georgia on June 30 after 16 years of dedicated service to our State university.

Dr. Adams became president on June 11, 1997, and he immediately began his work to make the University of Georgia one of the Nation's top public research universities. Under his leadership, UGA has excelled tremendously and student quality has risen steadily. He is one of America's best known and longest serving university presidents.

Dr. Adams' dedication to improving the university's facilities and infrastructure is evident upon visiting the campus. He secured over \$1 billion in new construction programs through his foundation of the UGA Real Estate Foundation. The university has undergone incredible renovations and now boasts the nation's most state-of-the-art facilities. Adams has overseen the construction of the East Campus Village, the Georgia Museum of Art, the Tate Student Center and the Richard B. Russell Special Collections Library. His commitment to providing students with the best learning environment is apparent throughout the highly impressive and ever-improving campus.

Under Adams' leadership, the University of Georgia has achieved the highest rankings in its history, with the U.S. News and World Report ranking UGA in its top 20 public research universities for 8 out of the past 10 years. Student enrollment has grown from 29,000 to 35,000 students. UGA has become more selective and student quality is at its best. Adams oversaw the

establishment of five new colleges and schools, increasing the diversity of academic programs and fields of study. While the university continued to excel academically, the Georgia Bulldogs' rich tradition of athletics flourished as well, with 27 national championship titles, 58 SEC Titles, and 125 individual titles.

It comes as no surprise Adams has received over 50 awards in higher education throughout his time with the university, including the Knight Foundation Award for Presidential Leadership, the Pioneer Award for Leadership in Civil Rights, and the James T. Rogers Award, the highest honor bestowed by the Southern Association of Colleges and Schools. He has also been listed as one of Georgia Trend magazine's Most Influential Georgians for 11 years in a row.

I am honored to have attended the University of Georgia and grateful for all that President Adams has done to make it the educational standard that it is today. I thank him for his service to the University of Georgia and to our great State.●

REMEMBERING REV. CAESAR CAVIGLIA

• Mr. HELLER. Mr. President, I wish to offer a tribute honoring the life and work of Father Caesar Caviglia. Father Caviglia was a dedicated community leader from my home State of Nevada who passed away this week. He touched the lives of countless Nevadans and will be long remembered for his compassion, faith, and service to his church and community.

Father Caviglia was a lifelong Nevadan who spent more than half a century as a minister and educator. Throughout his life, he served in various capacities across the entire State. He was born in Ely, NV in 1928, and returned to the Silver State after being ordained and earning multiple degrees in philosophy, theology and education. He was a committed educator who spent time teaching at Bishop Manogue Catholic High School and the University of Nevada, Reno before moving to the southern part of the State to serve as the superintendent of Nevada State Catholic Schools.

Father "C," as he was known by his parishioners, spent much of his ministry serving as the parish priest at St. Peter's Catholic Church in Henderson, NV. Throughout his time there, he took on a variety of leadership roles and was active in advocating for important issues affecting those he served. He was a member of the faculty at the Henderson Campus of the College of Southern Nevada, where he taught sociology, anthropology and philosophy. He played a key role in the construction of that campus, and one of its academic buildings is named in his honor. He returned to Ely to begin his retirement, but soon after, he resumed his role of service as the administrator at Sacred Heart Catholic Church, where he served until 2008.

Father Caviglia spent a lifetime devoted to serving his community and serves as an example to us all. I ask my colleagues to join me in remembering Father Caesar Caviglia, and offer my deepest condolences to his family and parishioners as they mourn the loss of this great Nevadan.●

TRIBUTE TO ALAYNA ACKERMAN

• Mr. THUNE. Mr. President, today I recognize Alayna Ackerman, an intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the State of South Dakota.

Alayna is a graduate of St. Thomas More High School in Rapid City, SD. Currently, she is attending University of South Dakota, where she is majoring in criminal justice and political science. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Alayna for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO TARA AL-HAJ

• Mr. THUNE. Mr. President, today I recognize Tara Al-Haj, a page in the United States Senate, for all of the hard work she has done for the Senate and its staff.

Tara is currently attending Stevens High School in Rapid City, SD, where she will be entering her junior year this fall. She is a hard worker who has been dedicated to getting the most out of this unique experience.

I extend my sincere thanks and appreciation to Tara for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO ERIKA BACHMEIER

• Mr. THUNE. Mr. President, today I recognize Erika Bachmeier, an intern in my Aberdeen, SD, office, for all of the hard work she has done for me, my staff, and the State of South Dakota.

Erika is a graduate of Central High School in Aberdeen, SD. Currently, she is attending the University of North Dakota, where she is majoring in occupational therapy. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Erika for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO MADISON BLAKE

• Mr. THUNE. Mr. President, today I recognize Madison Blake, an intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the State of South Dakota.

Madison is a graduate of Liberty High School in Liberty, MO. Currently, she is attending the University of Missouri, where she is majoring in health

sciences. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Madison for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO BETHANY BUELL

● Mr. THUNE. Mr. President, today I wish to honor Bethany Buell of the University of South Dakota, USD, for becoming the first NCAA Division I National Champion in school history. Buell captured the National Championship by pole vaulting 14 feet, 7.25 inches on June 7, 2013 at Hayward Field in Eugene, OR.

Bethany Buell has had a terrific season for the USD Coyote's, earning All-American honors before ultimately capturing the D-I NCAA National Championship. Buell's record-breaking season was almost cut short after tearing ligaments in her shoulder after setting the highest national mark of 14 feet, 7.5 inches on March 29th. Buell returned from injury to compete on May 9th at the Summit League Championships. Buell was also named the NCAA Division I Outdoor Field Scholar Athlete of the Year by the U.S. Track and Field/Cross Country Coaches Association.

Bethany Buell is a redshirt junior from Rockwood Summit High School, in St. Louis, MO. Bethany, the daughter of Bill and Kerry Buell, is currently majoring in psychology with a minor in anthropology. Buell's career at USD has been record-breaking; as a true freshman, Bethany won the pole vault at the GWC Indoor Championships and broke the school record in the event twice. In 2011, Buell became the first USD Coyote to qualify for the NCAA D-I National Championships, where she would finish 13th and earn 2nd team All-America honors. In 2012, Bethany continued her ascent as one of the Nation's top pole vaulters becoming the first Coyote to earn All-American First-Team honors. She later finished 3rd at the NCAA D-I National Championships.

As a graduate of the University of South Dakota, I am honored to recognize Bethany Buell for her outstanding accomplishments and contributions to the University of South Dakota and to the State of South Dakota. Congratulations to Bethany, and to the Coyote Track and Field Team for a great season. Go Yotes!●

TRIBUTE TO SKYE DEARBORN

● Mr. THUNE. Mr. President, today I wish to honor Skye Dearborn of Sioux Falls Lincoln High School for being South Dakota's first representative in the National Youth Orchestra of the United States of America. Dearborn played the trombone for the inaugural Carnegie Hall National Youth Orchestra.

Before Dearborn performed in the National Youth Orchestra she played

trombone in Lincoln High School's symphonic band, jazz band, marching band, and was part of the South Dakota Symphony Youth Orchestra. Dearborn also participated in the concert orchestra, won first place in the Young Musicians Concerto Competition, and was an AP Scholar at Lincoln High School. In the future, Skye plans on attending the University of Michigan in Ann Arbor where she will major in trombone performance.

2013 marks the inaugural tour for the National Youth Orchestra of the United States of America in modern history. The NYO-USA is comprised of 120 of the finest youth musicians from across the United States and is conducted each year by a different celebrated conductor. The conductor for the 2013 orchestra is Valery Gergiev, the principal director of the London Symphony Orchestra. The NYO-USA performed in New York, NY, Washington, DC, Moscow, St. Petersburg, and London.

The National Youth Orchestra of the United States of America performed on tour July 11 through July 21 around the globe. I am honored to recognize Skye Dearborn for her accomplishments and contributions to this prestigious group of young people.●

TRIBUTE TO JENNA HEADRICK

● Mr. THUNE. Mr. President, today I recognize Jenna Headrick, an intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the State of South Dakota.

Jenna is a graduate of Brandon Valley High School in Brandon, SD. Currently, she is attending the University of Minnesota—Twin Cities, where she is majoring in political science and sociology. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Jenna for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO MATTHEW REEVES

● Mr. THUNE. Mr. President, today I recognize Matthew Reeves, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Matthew is a graduate of Sioux Falls Christian in Sioux Falls, SD. Currently, he is attending the University of Arkansas, where he is majoring in international relations and political science. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Matthew for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO SAMUEL REULAND

● Mr. THUNE. Mr. President, today I recognize Samuel Reuland, an intern in

my Sioux Falls, SD, office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Samuel is a graduate of White Lake High School in White Lake, SD. Currently, he is attending the University of South Dakota, where he is majoring in political science and history. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Samuel for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO OWEN SHAY

● Mr. THUNE. Mr. President, today I recognize Owen Shay, an intern in my Sioux Falls, SD, office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Owen is a graduate of Sunshine Bible Academy in Miller, SD. Currently, he is attending South Dakota State University, where he is majoring in history. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Owen for all of the fine work he has done and wish him continued success in the years to come.●

SIOUX FALLS ORPHEUM THEATER

● Mr. THUNE. Mr. President, today I wish to recognize the Sioux Falls Orpheum Theater Center's 100th Anniversary. Opening their doors in 1913, The Orpheum Theater Center was built to serve the City of Sioux Falls as a venue for theatrical presentations. Over the past 100 years, the Orpheum Theater has grown to become a cherished location for South Dakotans to enjoy quality entertainment.

The Orpheum Theater was built for the Solari Brothers and opened on October 3, 1913, as a vaudeville house and seated 1,000 audience members. Tickets for the opening night were sold for \$5 each and acts included features such as "An Evening in Honolulu," two different comedy acts, and the Orpheum Concert Orchestra.

In 1919, the theater was sold to a major theater management firm. It remained as a vaudeville house until 1927, when it was sold and became a second run and B movie theater. It was not until the Sioux Empire Community Playhouse purchased the building in 1954 that it was restored to its original theater space.

The City of Sioux Falls purchased the Orpheum and neighboring buildings in 2002 and has since named the entire facility The Orpheum Theater Center.

The Orpheum Theater Center has provided quality entertainment to many generations of South Dakotans. It attracts over 100,000 visitors each year with events that include plays, concerts, community events, and private events. Known for its superb acoustics, it is the oldest theater in

Sioux Falls. In 1983, the Orpheum Theater was added to the National Register of Historic Places.

I am honored to congratulate the Sioux Falls Orpheum Theater Center on their 100th Anniversary and wish them another 100 years of success.●

TRIBUTE TO ADAM TIMMERMAN

● Mr. THUNE. Mr. President, today I recognize Adam Timmerman, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Adam is a graduate of Sioux Falls Lincoln High School in Sioux Falls, SD. Currently, he is attending University of Kansas, where he is majoring in environmental studies. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Adam for all of the fine work he has done and wish him continued success in the years to come.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 4:30 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1300. An act to amend the Fish and Wildlife Act of 1956 to reauthorize the volunteer programs and community partnerships for the benefit of national wildlife refuges, and for other purposes.

H.R. 2094. An act to amend the Public Health Service Act to increase the preference given, in awarding certain asthma-related grants, to certain States (those allowing trained school personnel to administer epinephrine and meeting other related requirements).

H.R. 2754. An act to amend the Hobby Protection Act to make unlawful the provision of assistance or support in violation of that Act, and for other purposes.

The message also announced that pursuant to section 313 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1151), as amended by section 1601 of Public Law 111-68, and the order of the House of January 3, 2013, the Speaker appoints the following Mem-

ber on the part of the House of Representatives to the Board of Trustees of the Open World Leadership Center: Mr. MORAN of Virginia.

The message further announced that pursuant to section 491 of the Higher Education Act (20 U.S.C. 1098(c)), and the order of the House of January 3, 2013, and upon the recommendation of the Minority Leader, the Speaker appoints the following individual on the part of the House of Representatives to the Advisory Committee on Student Financial Assistance for a term of 4 years: Mr. Fred Hurst of Flagstaff, Arizona.

The message also announced that pursuant to 22 U.S.C. 2903, and the order of the House of January 3, 2013, the Speaker appoints the following Member on the part of the House of Representatives to the Japan-United States Friendship Commission: Mr. MCDERMOTT of Washington.

The message further announced that pursuant to 22 U.S.C. 6913, and the order of the House of January 3, 2013, the Speaker appoints the following Members on the part of the House of Representatives to the Congressional-Executive Commission on the People's Republic of China: Ms. KAPTUR of Ohio, and Mr. HONDA of California.

ENROLLED BILL SIGNED

The President pro tempore (Mr. LEAHY) reported that he had signed the following enrolled bill, which was previously signed by the Speaker of the House:

H.R. 1092. An act to designate the air route traffic control center located in Nashua, New Hampshire, as the "Patricia Clark Boston Air Route Traffic Control Center".

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1300. An act to amend the Fish and Wildlife Act of 1956 to reauthorize the volunteer programs and community partnerships for the benefit of national wildlife refuges, and for other purposes; to the Committee on Environment and Public Works.

H.R. 2094. An act to amend the Public Health Service Act to increase the preference given, in awarding certain asthma-related grants, to certain States (those allowing trained school personnel to administer epinephrine and meeting other related requirements); to the Committee on Health, Education, Labor, and Pensions.

H.R. 2754. An act to amend the Hobby Protection Act to make unlawful the provision of assistance or support in violation of that Act, and for other purposes; to the Committee on Commerce, Science, and Transportation.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 1392. A bill to promote energy savings in residential buildings and industry, and for other purposes.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-90. A joint resolution adopted by the Legislature of the State of Utah urging the United States Congress to pass S. 336 and H.R. 684, the Marketplace Fairness Act; to the Committee on Finance.

HOUSE JOINT RESOLUTION NO. 4

Whereas, the Supreme Court of the United States held in *Quill v. North Dakota*, 504 U.S. 298 (1992) that the "dormant" or "negative" Commerce Clause of the Constitution of the United States prohibits a state from requiring a retailer to collect and remit sales tax on sales to consumers in the state unless the retailer has physical presence in the state;

Whereas, the Supreme Court further held "that the underlying issue is not only one that Congress may be better qualified to resolve, but also one that Congress has the ultimate power to resolve";

Whereas, the sales tax, as applied to consumer purchases, can be a transparent tax levied by state and local governments;

Whereas, the sales tax is, from the individual consumer's perspective, one of the simplest taxes imposed by state and local governments;

Whereas, a complex aspect of sales taxation, from the individual consumer's perspective, is the requirement to pay "use" tax directly to the state or locality when sales tax is not collected by the retailer;

Whereas, the electronic commerce industry needs to be left free from government interference, and any argument in favor of taxing sales on the Internet is problematic in light of constitutional provisions regarding interstate commerce and interstate compacts;

Whereas, because there are over 9,600 state and local taxing jurisdictions in the United States, each with unique and changing definitions, rules, and holidays, the sales tax is, from a remote seller's perspective, one of the most complex and costly taxes imposed by state and local governments;

Whereas, consumption taxes can be used to achieve competitiveness;

Whereas, the sales tax has been a stable source of state and local revenue and provides some level of certainty for states and localities;

Whereas, some proposed federal legislation authorizing states to require all retailers whose sales to consumers in those states exceed a minimum threshold to collect sales taxes has garnered support from some businesses and organizations;

Whereas, despite the progress states have made in simplifying state sales tax collection for remote sellers, there remain some inequities between the burden of tax collection obligations imposed upon sellers with physical presence and the burdens those same obligations would impose on remote sellers serving consumers in multiple states without physical presence;

Whereas, any federal legislation should be fair to both in-state and remote sellers, whether such legislation requires sales and use taxes to be collected on a point-of-sale or point-of-delivery basis; and

Whereas, the state of Utah has adopted or supports, and Congress is considering, the following items in federal legislation:

1. State-provided or state-certified tax collection and remittance software that is simple to implement and maintain, and paid for by states;

2. Immunity from civil lawsuits for retailers utilizing state-provided or state-certified software in tax collection and remittance;

3. Tax audit accountability to a single state tax audit authority;

4. Elimination of interstate tax complexity by streamlining taxable good categories;

5. Adoption of a meaningful small business exception so that small, remote seller businesses are not adversely affected; and

6. Fair compensation to the tax-collecting retailer, taking into account such elements as the exchange fees retailers are charged for consumer credit card transactions, which fees apply equally to any state taxes collected on the purchase of goods sold as well as the actual purchase amount;

Whereas, the Marketplace Fairness Act, currently introduced in the United States Senate as S. 336 and the United States House of Representatives as H.R. 684, helps level the playing field between remote sellers and main street sellers by requiring larger remote sales to collect the same sales and use taxes that the brick and mortar stores in Utah already collect;

Whereas, in *Quill Corp. v. North Dakota* (1992), the Supreme Court of the United States indicated that Congress has the ability to resolve this sales tax collection inequity between remote sellers and brick and mortar sellers;

Whereas, the Marketplace Fairness Act will provide states with the authority to require remote sellers to collect and remit the sales tax due if the state is willing to make significant simplifications for sellers;

Whereas, Utah has already shown the way by adopting all the simplifications and uniformity standards required in the Streamlined Sales and Use Tax Agreement;

Whereas, these simplifications, along with the ease of reporting through recent technological advances, have removed the obstacles to remote sellers collecting sales taxes just like any other retailer;

Whereas, this is evidenced by the fact that over 1,800 sellers have voluntarily registered to collect the taxes in the states, including Utah, that have conformed their laws to the requirements of the Streamlined Sales and Use Tax Agreement;

Whereas, there is an urgent need to pass this long overdue legislation to level the playing field for all retailers;

Whereas, the legislation is about fairness, simplification, and stemming the erosion of state sales tax systems;

Whereas, that both houses of Congress have agreed on the approach and legislative language indicates there is a readiness to take this important step to safeguard state sales tax systems;

Whereas, although purchasers still owe a corresponding use tax on taxable purchases from remote retailers, most individuals are either not aware of this requirement or choose to ignore it;

Whereas, while the Internet was essentially unknown to consumers in 1992, the loophole identified in the *Quill Corp. v. North Dakota* decision points out the competitive advantage online and mail order merchants have over traditional brick and mortar stores that are required to collect and remit sales tax from their customers; and

Whereas, no compelling reason exists for government to continue to give remote sales retailers a competitive advantage over in-state merchants who live and work in a community, hire employees, and pay taxes;

Whereas, the United States Congress should act now so businesses compete on the basis of price and service, not on the ability of one form or retailer to avoid collecting taxes;

Whereas, the Marketplace Fairness Act would give states the authority to require remote sellers with more than \$1 million in total remote sales in the preceding calendar

year to collect their state's sales and use tax on sales to customers; and

Whereas, the Marketplace Fairness Act identifies minimum simplification requirements a state must enact before it can require remote sellers to collect its sales and use taxes, making it easier for the remote sellers to comply with the laws of multiple states; Now, therefore, be it

Resolved, That the Legislature of the state of Utah urges Congress to enact S. 336 and H.R. 684 to authorize states, consistent with this resolution and principles of taxation espoused by national associations of legislators and governors, and subject to the enactment of any necessary state laws, to establish true fairness in state tax collection for both retailers having physical presence in a state and retailers who are remote sellers; and be it further

Resolved, That the Legislature of the state of Utah, having addressed the principles of fairness outlined in this resolution, urges Congress to require all retailers whose sales to consumers exceed a minimum threshold to collect and remit applicable sales taxes on sales in the state; and be it further

Resolved, That a copy of this resolution be sent to the members of the United States House of Representatives and to the members of the United States Senate.

POM-91. A resolution adopted by the House of Representatives of the State of Utah urging the United States Congress to repeal portions of the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act; to the Committee on Finance.

HOUSE RESOLUTION

Whereas, sections 9010 and 10905 of the Patient Protection and Affordable Care Act, and section 1406 of the Health Care and Education Reconciliation Act, impose an unprecedented new tax on health insurance that numerous policy experts agree will be passed on to individuals, working families, small employers, and senior citizens, contradicting a primary goal of health reform by making care more expensive;

Whereas, the health insurance tax will cause premiums on the individual market to rise an average of \$2,150 for individuals and \$5,080 for families nationally over 10 years and will increase premiums for families over \$4,305 over 10 years;

Whereas, the health insurance tax will impact small employers over the next 10 years, reducing private sector jobs by 125,000;

Whereas, 59% of these lost jobs will come from small businesses;

Whereas, potential sales will be reduced by at least \$18 billion, 50% of which will come from small businesses;

Whereas, in the state of Utah, premiums for small employers will increase by an average of \$2,173 per employer over 10 years and premiums for large employers will increase by an average of \$2,400 over 10 years;

Whereas, the health insurance tax will impact Medicare Advantage beneficiaries in the state of Utah by costing an average of \$2,926 in additional premiums and reduced benefits over 10 years;

Whereas, the health insurance tax will impact Medicaid beneficiaries in the state of Utah enrolled in a coordinated care program by costing an average of \$1,506 over 10 years, putting pressure on already strained state budgets, decreasing benefits, and potentially creating coverage disruption; and

Whereas, higher premiums are a disincentive for everyone to obtain insurance coverage, particularly younger, healthier people who are likely to drop their policy if it becomes too expensive, further eroding the risk pool and making coverage less affordable; Now, therefore, be it

Resolved, That the House of Representatives of the state of Utah strongly urges the United States Congress to enact legislation to repeal the health insurance tax, sections 9010 and 10905 of the Patient Protection and Affordable Care Act, and section 1406 of the Health Care and Education Reconciliation Act, to make health care more affordable for working families, individuals, and businesses; and be it further

Resolved, That a copy of this resolution be sent to the President of the United States, the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, and the members of Utah's congressional delegation.

POM-92. A resolution adopted by the House of Representatives of the Legislature of the State of Kansas recognizing the many contributions made by the citizens of the Republic of Azerbaijan; to the Committee on Foreign Relations.

HOUSE RESOLUTION NO. 6022

Whereas, The Republic of Azerbaijan and the United States of America are long-standing allies, both dearly cherishing the universal values of freedom, democracy and human rights; and

Whereas, The State of Kansas and the Republic of Azerbaijan enjoy a strong, vibrant and mutually beneficial economic relationship with the prospect of further growth; and

Whereas, It is the custom of the State of Kansas to welcome all who come to our state, especially those who come in the interest of friendship and commerce; and

Whereas, It is the policy of the Kansas House of Representatives to recognize the contributions of our allies and the value of maintaining beneficial relationships with the allies of the United States of America, including the contributions made by the Republic of Azerbaijan and the value of our positive relationship with this ally; Now, therefore, be it

Resolved by the House of Representatives of the State of Kansas: That we recognize the many contributions made by the citizens of the Republic of Azerbaijan and that it is in the best interest of the State of Kansas to promote relationships with Azerbaijan.

POM-93. A resolution adopted by the Senate of the Commonwealth of Pennsylvania supporting those peaceful political actions that will result in the final reunification of Ireland; to the Committee on Foreign Relations.

SENATE RESOLUTION NO. 53

Whereas, Ireland and its people comprise an ancient and distinct island nation, and the people of Ireland have a right and the responsibility to govern themselves; and

Whereas, Human and civil rights derive "their just powers from the consent of the governed" and are best guaranteed by people freely elected by democratic means to an independent government; and

Whereas, The logic of history, international law, human rights and peaceful political actions dictate the reunification of the island of Ireland, and the reality of the moment in the Peace Process, the Good Friday Agreement, the Desolved Assembly and the development of the All-Ireland institutions of governance attest to this momentum; and

Whereas, In the past, the General Assembly adopted the MacBride Principles for Northern Ireland and strongly endorsed passage of the Good Friday Agreement among the parties, in part because of the dedication and bipartisan support of three separate presidents of the United States, in seeing the Good Friday Agreement to fruition and formation of the Assembly; and

Whereas, The contributions of the Irish born and Irish Americans to the United States of America and this Commonwealth are legion; and

Whereas, The Commonwealth of Pennsylvania is home to a significant percentage of Americans whose ancestors migrated in times of famine and war to seek a better life, but in whose hearts still desire peace and unification for their ancestral home: Now, therefore, be it

Resolved, That the Senate of Pennsylvania strongly support a United Ireland by supporting those peaceful political actions that will result in the final reunification of Ireland; and be it further

Resolved, That a copy of this resolution be forwarded to the President and Vice President of the United States; the United States Secretary of State; all members of the Pennsylvania Congressional Delegation; the Governor of Pennsylvania; and the Taoiseach and President of Ireland; and be it further

Resolved, That a copy of this resolution be forwarded to the United States Ambassador to Ireland, who shall be urged to transmit a copy to the United States Ambassador to Great Britain and to Great Britain's Ambassador to the United States.

POM-94. A joint resolution adopted by the Legislature of the State of California memorializing the Congress and the President of the United States to observe the California Week of Remembrance for the Armenian Genocide by participating in the Armenian Genocide Commemorative Project; to the Committee on Foreign Relations.

ASSEMBLY JOINT RESOLUTION NO. 2

Whereas, The Armenian Genocide of 1915–1923 was the first genocide of the 20th century, in which 1.5 million men, women, and children lost their lives at the hands of the Turkish Ottoman Empire in their attempt to systematically eliminate the Armenian race; and

Whereas, In their 3,000 year historic homeland in Asia Minor, Armenians were subjected to severe and unjust persecution and brutality by the Turkish rulers of the Ottoman Empire before and after the turn of the 20th century, including widespread acts of destruction and murder during the period from 1894 to 1896, inclusive, and again in 1909; and

Whereas, The massacre of the Armenians constituted one of the most atrocious violations of human rights in the history of the world; and

Whereas, Adolph Hitler, in persuading his army commanders that the merciless persecution and killing of Jews, Poles, and other people would bring no retribution, declared, “Who, after all, speaks today of the annihilation of the Armenians?”; and

Whereas, Unlike other people and governments that have admitted and denounced the abuses and crimes of predecessor regimes, and despite the overwhelming proof of genocidal intent, the Republic of Turkey has inexplicably and adamantly denied the occurrence of the crimes against humanity committed by the Ottoman and Young Turk rulers, and those denials compound the grief of the few remaining survivors of the atrocities, desecrate the memory of the victims, and cause continuing pain to the descendants of the victims; and

Whereas, Leaders of nations with strategic, commercial, and cultural ties to the Republic of Turkey should be reminded of their duty to encourage Turkish officials to cease efforts to distort facts and deny the history of events surrounding the Armenian Genocide; and

Whereas, The determination of those who continue to speak the truth about the Arme-

nian Genocide is tested to this day with some of these speakers of truth being silenced by violent means; and

Whereas, The accelerated level and scope of denial and revisionism, coupled with the passage of time and the fact that very few survivors remain who can serve as reminders of indescribable brutality and tormented lives, compel a sense of urgency in efforts to solidify recognition of historical truth; and

Whereas, By consistently remembering and forcefully condemning the atrocities committed against the Armenians, and honoring the survivors as well as other victims of similar heinous conduct, we guard against repetition of such acts of genocide and provide the American public with a greater understanding of its heritage; and

Whereas, This measure would provide that the Legislature deplores the persistent, ongoing efforts by any person in this country or abroad to deny the historical fact of the Armenian Genocide; and

Whereas, California is home to the largest Armenian-American population in the United States, and Armenians living in California have enriched our state through their leadership in business, agriculture, academia, government, and the arts; and

Whereas, The State of California has been at the forefront of encouraging and promoting a curriculum relating to human rights and genocide in order to empower future generations to prevent recurrence of the crime of genocide: Now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the State of California commends its conscientious educators who teach about human rights and genocide; and be it further

Resolved, That the Legislature of the State of California hereby designates the week of April 18 to 24, 2013, as “California Week of Remembrance for the Armenian Genocide of 1915–1923”; and be it further

Resolved, That California commemorates California Week of Remembrance for the Armenian Genocide through the Armenian Genocide Commemorative Project; and be it further

Resolved, That the State of California respectfully calls upon the Congress and the President of the United States to act likewise and to formally and consistently recognize and reaffirm the historical truth that the atrocities committed against the Armenian people constituted genocide; and be it further

Resolved, That the Legislature calls upon the Republic of Turkey to acknowledge the facts of the Armenian Genocide and to work toward a just resolution; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, Members of the United States Congress, the Governor, and the Turkish Ambassador to the United States.

POM-95. A resolution adopted by the Senate of the Commonwealth of Massachusetts reaffirming the friendship between the Commonwealth of Massachusetts and Taiwan; to the Committee on Foreign Relations.

RESOLUTIONS

Whereas, The United States and Taiwan share a most important relationship supported by the 2 countries' common values and support for freedom, democracy and a commitment to a free market economy; and

Whereas, The President of Taiwan, Ma Ying-Jeou, has worked tirelessly to uphold democratic principles in Taiwan, ensure the prosperity of Taiwan's 23 million people, promote Taiwan's international standing and further improve relations between the United States and Taiwan; and

Whereas, The United States and Taiwan, and especially the Commonwealth, share a historically close relationship marked by strong bilateral trade, educational and cultural exchange, scientific and technological interests and tourism; and

Whereas, Taiwan is a member of the United States Visa Waiver Program, reflecting the cooperation shared between the 2 countries and making travel between Taiwan and the United States for business and tourism more convenient; and

Whereas, The United States ranks as Taiwan's third largest trading partner and Taiwan was the eleventh largest trading partner of the United States in 2012; and

Whereas, bilateral trade in goods and services between the United States and Taiwan reached \$85 billion in 2011 and the New England region exported approximately \$1.4 billion in goods to Taiwan, of which, \$956 million was exported from the Commonwealth; and

Whereas, Taiwan is the seventeenth largest trading economy in the world and a member of the Asia-Pacific Economic Cooperation, or Apec Forum, which promotes free trade and economic cooperation throughout the Asia-Pacific region: Now therefore, be it

Resolved, That the Massachusetts General Court seeks to reaffirm the friendship between the Commonwealth of Massachusetts and Taiwan; and be it further

Resolved, That a copy of these resolutions be transmitted forthwith by the clerk of the Senate to the Honorable Barack Obama, President of the United States, to the Massachusetts Delegation of the United States Congress, to the Honorable Deval Patrick, Governor of the Commonwealth, to the Honorable Ma Yingjeou, President of Taiwan and to Anne Hung, Director-General of the Taipei Economic and Cultural Office in Boston.

POM-96. A resolution adopted by the Senate of the State of Michigan urging careful review of the proposed underground nuclear waste repository in Ontario, Canada, and memorializing the United States Congress to do all it can to see that Michigan's concerns are fully addressed; to the Committee on Foreign Relations.

SENATE RESOLUTION NO. 58

Whereas, Ontario Power Generation is proposing to construct an underground, long-term burial facility for all of Ontario's low- and intermediate-level radioactive waste at the Bruce Nuclear Generating Station, some of which is long-lived intermediate waste. This site, less than a mile inland from the shore of Lake Huron and about 440 yards below the lake level, is approximately 120 miles upstream from the main drinking water intakes for Southeast Michigan; and

Whereas, Lake Huron and the other Great Lakes are critically-important resources to both the United States and Canada. The Great Lakes contain 95 percent of North America's surface fresh water and provide drinking water to tens of millions of people. Pristine water is important to fishing, boating, recreation, tourism, and agriculture in Michigan and throughout the region. Agriculture, commercial and sport fisheries, shipping, recreation, and tourism are important components of the Great Lakes economy. This proposal to place a permanent nuclear waste burial facility so close to the Great Lakes raises serious concerns; and

Whereas, As part of an effort to protect water quality, Michigan's siting criteria for the disposal of low-level radioactive waste prohibits any site located within ten miles of Lake Michigan, Lake Superior, Lake Huron, Lake Erie, the Saint Mary's River, the Detroit River, the St. Clair River, or Lake St. Clair. It also excludes sites located within a

500-year floodplain, located over a sole source aquifer, or located where the hydrogeology beneath the site discharges groundwater to the land surface within 3,000 feet of the boundaries of the site. We encourage Canada to consider similar siting criteria; and

Whereas, International agreements between the United States and Canada state that radiological contamination should be reduced and emphasize the concept of prevention. We encourage Canada, as part of its public review process, to make known the steps that have been or will be taken to fulfill the requirements of these agreements; and

Whereas, Siting an underground nuclear waste repository in limestone, as proposed by Ontario Power Generation, is the first of its kind. The environmental impact statement for this proposed nuclear waste burial facility noted that the acceptability of an alternative site was "unknown." We encourage the use of sound scientific principles and analyses in determining whether this geologic formation is appropriate for the safe long-term storage of radioactive waste and that before making any further approvals of this proposed facility, this scientific data, along with information regarding the alternative sites that were considered, be made available; and

Whereas, Given the proximity and potential impact to many Michigan residents, we urge Canadian and Ontario officials, along with all relevant governmental agencies, to ensure open communication and information sharing with Michigan citizens about this proposal and to possibly consider extending the public comment period: Now, therefore, be it

Resolved by the Senate, That we urge Canadian officials to thoroughly review the proposed underground nuclear waste repository in Ontario, Canada, including the issues raised herein, and we memorialize the United States Congress to do all it can to see that Michigan's concerns are fully addressed; and be it further

Resolved, That copies of this resolution be transmitted to the Prime Minister of Canada, the Premier of Ontario, the President of the Canadian Nuclear Safety Commission, the Chairman of the United States Nuclear Regulatory Commission, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-97. A concurrent resolution adopted by the Legislature of the State of Utah recognizing the 50th anniversary of the Vietnam War; to the Committee on Foreign Relations.

HOUSE CONCURRENT RESOLUTION NO. 6

Whereas, in the late 1950s, the United States began sending advisors to help train the South Vietnamese Army and Air Force to withstand the onslaught from Communist North Vietnam;

Whereas, the Military Assistance and Advisory Group (MAAG), along with 700 other U.S. military advisors, worked for eight years to train the South Vietnamese for conventional warfare;

Whereas, on October 11, 1961, President John F. Kennedy authorized a detachment from the 4400th Combat Crew Training Squadron to deploy to South Vietnam as Project Farm Gate;

Whereas, Operation Mule Train, begun in January 1962, was designed to drop supplies to isolated outposts and transport parachutists into areas controlled by the Vietcong;

Whereas, at the request of South Vietnam's President, the United States Air Force was directed to spray the Vietnamese coun-

tryside with an aerial herbicide that would strip the jungles of all foliage and eliminate the cover and available food for the North Vietnamese;

Whereas, this action, named Operation Ranch Hand, began in 1962;

Whereas, arguments in Washington erupted on whether the spraying actually did any good, or whether the Americans and the South Vietnamese governments were risking the loyalty of the South Vietnamese people whose livelihoods were also at risk;

Whereas, President Kennedy allowed the spraying, but only under limited conditions and as long as crops were not damaged;

Whereas, the planes that dropped the herbicide were modified to carry and spray the defoliants to only attack areas of the jungle where combatants could hide, but by 1971 the policy had changed and even crops were sprayed;

Whereas, the operation continued for nine years and affected 36% of the mangrove forest and 20% of the jungles of South Vietnam;

Whereas, this operation began the controversy over the effects of the defoliant Agent Orange on humans, which continues today;

Whereas, in August 1964, two U.S. destroyers, the USS Turner Joy and the USS Maddox, were performing surveillance patrols in conjunction with the South Vietnamese Navy along the North Vietnamese coast in the Gulf of Tonkin;

Whereas, North Vietnam claimed a 12-mile territorial zone off its coastline, but the United States only recognized a 3-mile border and allowed its ships to sail within 11 miles of the coast;

Whereas, when ships would come into range, the North Vietnamese radar sites on shore would activate and the South Vietnamese Navy would then harass the installations with gunfire;

Whereas, in retaliation, the North Vietnamese Navy sent out several torpedo boats on an attack, which proved unsuccessful;

Whereas, when President Lyndon B. Johnson received notification of the incident, he ordered the first American air strikes against North Vietnamese naval bases;

Whereas, a few days later, Congress passed the Gulf of Tonkin Resolution, which gave President Johnson the authority to increase America's involvement in Vietnam;

Whereas, in February 1965, President Johnson ordered a series of reprisal air strikes after several attacks on U.S. bases by Vietcong units;

Whereas, a series of paved and unpaved roads, rivers, and sometimes narrow footpaths through dense jungle, commonly referred to as the Ho Chi Minh Trail, were being utilized by the North Vietnamese and Vietcong armies to smuggle supplies and troops back and forth from North and South Vietnam;

Whereas, this intricate transportation system stretched throughout the mountains along the Vietnamese-Laos-Cambodia borders and was a large problem for the South Vietnamese and U.S. forces;

Whereas, cutting off the Ho Chi Minh Trail, often called the "Secret War," was controversial because it often entailed constant air strikes to areas in Laos and Cambodia, which were neutral countries, and these tactics were not known to most Americans;

Whereas, after several attacks upon United States Air Force bases, 3,500 United States Marines were dispatched to South Vietnam on March 8, 1965;

Whereas, this marked the beginning of the American ground war, and public opinion at the time overwhelmingly supported the deployment;

Whereas, the initial deployment of 3,500 Marines increased to nearly 200,000 American military personnel by December of 1965;

Whereas, that same month, South Vietnamese forces suffered heavy losses in a battle that both sides viewed as a watershed, and American leaders responded by developing plans for U.S. troops to move from a defensive strategy to an offensive approach to the escalating war;

Whereas, the bombing campaigns that began in 1964, which were intended to force North Vietnam to cease its support for the National Front for the Liberation of South Vietnam, escalated significantly by the end of 1966;

Whereas, where ground combat was sometimes made complicated by unconventional military opposition and difficult terrain, U.S. air superiority remained constant, and throughout the Vietnam War, various policies and strategies were put in place by the U.S. military to take advantage of that strength;

Whereas, over the course of the conflict, U.S. forces dropped over 7 million tons of bombs through Southeast Asia, compared to only about 2 million tons dropped during all of World War II;

Whereas, geared towards suppressing the Pathet Lao's Communist guerrillas in Northern Laos, Operation Barrel Roll, a heavily covert operation, was initiated to provide air support for the Royal Laotian Army, and included the first bombings in Laos in support of the war against North Vietnam;

Whereas, another interdiction effort, Operation Steel Tiger, was aimed at destroying the North Vietnamese flow of supplies and troops along the Ho Chi Minh Trail and involved heavy covert bombing in Southeastern Laos;

Whereas, Operation Tiger Hound, initiated in support of both Barrel Roll and Steel Tiger, focused solely on disrupting movement along the Ho Chi Minh Trail on the lower portion of the Laotian panhandle and was initiated by the South Vietnamese Air Force and by United States Air Force units based in South Vietnam;

Whereas, what was expected to be the usual two-day cease-fire in observance of Tet Nguyen Dan, the lunar New Year and the most important Vietnamese holiday, became an opportunity for the North Vietnamese Army and Vietcong to strike;

Whereas, this large, well-coordinated surprise campaign on cities and U.S. targets throughout South Vietnam, named the Tet Offensive, was North Vietnam's attempt to end the war in one swift blow;

Whereas, the morning of January 31, 1968, saw many provincial capitals and cities such as Saigon and Hue under siege from large numbers of Communist fighters who had apparently infiltrated the South in the months and weeks leading up to the planned offensive;

Whereas, U.S. and South Vietnamese forces, initially unprepared and overwhelmed, countered many of the attacks, and eventually gained back control by early March of all areas where the Vietcong were entrenched;

Whereas, in the aftermath, many cities and towns in South Vietnam were devastated, with thousands of casualties sustained by forces and civilians in the South;

Whereas, the Tet Offensive was evidence of North Vietnam's ability to stage a large-scale attack;

Whereas, this turning point in the war would lead to a change in approach by political and military leadership, and change the way many in the United States viewed the war from home;

Whereas, the first major bombing campaign on North Vietnamese territory, Operation Rolling Thunder was intended to place heavy military pressure on the North Vietnamese leaders and reduce their ability and

desire to wage war against the U.S.-supported South Vietnamese government;

Whereas, from 1965 to 1968, about 643,000 tons of bombs were dropped on North Vietnam;

Whereas, leading up to the Tet Offensive, widespread protests and demonstrations against U.S. involvement and the continued loss of American lives were already taking place in the United States;

Whereas, beginning in 1964, these protests and demonstrations led to a polarization of Americans, with one side continuing to support America's role in Southeast Asia and the other preaching peace and the end to U.S. operations in the region;

Whereas, although most demonstrations were peaceful, some were highlighted by violence and, whether instigated by protestors or police, these confrontational events often received more attention than the war itself;

Whereas, the North Vietnamese-led Tet Offensive in early 1968 brought a new wave of criticism from the American public as images of those events shocked many across the nation;

Whereas, with many news outlets publicizing the horrors encountered in South Vietnam during that period, as well as the depiction of the attack on the American Embassy in Saigon, many Americans questioned the ability of the United States to resolve the conflict by use of military intervention and the validity of previous reports of successful operations in the region;

Whereas, Operation Menu was a highly secretive bombing campaign of Communist-supported supply bases in Cambodia that the North Vietnamese used in aiding attacks on South Vietnam;

Whereas, these controversial B-52 bombing raids in neutral Cambodia, authorized by President Richard Nixon, continued until 1973 when information about those raids was leaked and the devastation to the region was exposed;

Whereas, public protests increased, and on May 4, 1970, the Ohio National Guard fired on Kent State University students, killing four students, during a protest against President Nixon for sending American troops into Cambodia;

Whereas, the killings resulted in a nationwide student strike;

Whereas, the Vietnam War was the central issue of the 1972 presidential election, with President Nixon's opponent, George McGovern, campaigning on a platform of withdrawal from Vietnam;

Whereas, starting in 1969, President Nixon's National Security Adviser, Henry Kissinger, carried on secret negotiations with North Vietnamese officials;

Whereas, in October 1972, an agreement was reached, but South Vietnamese President Nguyen Van Thieu demanded massive changes to the peace proposal;

Whereas, with negotiations deadlocked, President Nixon approved Operation Linebacker II, a massive bombing campaign by B-52 strategic bombers aimed at reassuring the South Vietnamese and forcing the North Vietnamese back to the negotiating table;

Whereas, in just 11 days, over 49,000 tons of bombs were dropped on North Vietnam, devastating the country and forcing North Vietnam back to the table;

Whereas, on January 15, 1973, President Richard Nixon announced the suspension of offensive action against North Vietnam;

Whereas, the Paris Peace Accords, the agreement signed on January 27, 1973, between North Vietnam and the United States and South Vietnam, effectively ended the conflict and began the complete withdrawal of American troops;

Whereas, the key provisions of the agreement included a cease-fire throughout Viet-

nam, withdrawal of U.S. combat forces, the release of prisoners of war, and the reunification of North and South Vietnam through peaceful means;

Whereas, the South Vietnamese government was to remain in place until new elections were held, and North Vietnamese forces in the South were not to advance further or be reinforced;

Whereas, little more than two months after the peace agreement, U.S. combat troops left Vietnam;

Whereas, Operation Homecoming, a result of the Paris Peace Accords, made possible the return of nearly 600 American prisoners of war (POWs) held by North Vietnam;

Whereas, groups of released POWs were selected on the basis of their length of time in prison, with the first group consisting of POWs that had spent six to eight years as prisoners of war;

Whereas, after Operation Homecoming, about 1,350 Americans were still listed as prisoners of war or missing in action, and another 1,200 Americans were reported killed in action without their bodies being recovered;

Whereas, these missing personnel would become the subject of an intense search by the United States Army, Navy, Air Force, and Marine Corps, with many remains of missing personnel located and returned in the decades since;

Whereas, following the refusal of Congress to fund additional U.S. activity in Vietnam, all American troops and equipment were withdrawn from Vietnam;

Whereas, Communist leaders in the North had expected that the cease-fire terms would favor their side, but even before the last American combat troops departed on March 29, 1973, the Communists violated the cease-fire;

Whereas, in Saigon, approximately 7,000 United States Department of Defense civilian employees remained behind to aid South Vietnam in conducting what was beginning to look like a fierce and ongoing war with Communist North Vietnam;

Whereas, Saigon, bolstered by a surge of U.S. aid received just before the cease-fire went into effect, at first started to push back the Vietcong, but by early 1974, full-scale warfare had resumed;

Whereas, the Vietcong recaptured the territory it lost during the previous dry season, and during the rest of 1974 Communist forces took possession of additional areas in the South;

Whereas, at the end of 1974, South Vietnamese authorities reported that 80,000 soldiers and civilians had been killed, making it the costliest year of the war;

Whereas, in the spring of 1975, 20 divisions of the North Vietnamese Army invaded South Vietnam;

Whereas, South Vietnamese forces fell back in disorder and panic, abandoning air bases, weapons, aircraft, fuel, and ammunition, and on April 29, 1975, Communist forces reached Saigon, the South Vietnamese capital, and quickly overran the city;

Whereas, South Vietnam formally surrendered the next day;

Whereas, April 30, 1975, also saw the last American civilians and military personnel still in South Vietnam airlifted out of Saigon by U.S. support forces;

Whereas, statistics from the 1970 census indicate that 27,910 Utahns served in Vietnam; Whereas, 388 Utahns were killed, 14 are still listed as missing in action, and many more were wounded during their service;

Whereas, a new exhibit, which honors and pays tribute to the sacrifices of POWs during the Vietnam War, opened September 12, 2012, at the Hill Air Force Base museum; and

Whereas, it is fitting that in the 50th year since the beginning of the conflict Utahns re-

flect on the Vietnam War and its legacy: Now, therefore, be it

Resolved, That the Legislature of the state of Utah, the Governor concurring therein, recognize the 50th Anniversary of the Vietnam War and those who fought, suffered, and died in the conflict; and be it further

Resolved, That the Legislature and the Governor urge the citizens of Utah to reflect on the service and sacrifice of many during the Vietnam War; and be it further

Resolved, That a copy of this resolution be sent to the Veterans of Foreign Wars USA, the United States Department of Veterans Affairs, the Utah Department of Veterans' Affairs, the Hill Air Force Base museum, and the members of Utah's congressional delegation.

POM-98. A concurrent resolution adopted by the Legislature of the State of Utah recognizing Israel's legal, historical, and moral right of self-governance and self-defense; to the Committee on Foreign Relations.

SENATE CONCURRENT RESOLUTION NO. 4

Whereas, the Jewish people have a long standing connection to the land of Israel;

Whereas, the claim and presence of the Jewish people in Israel has remained constant throughout the past 4,000 years;

Whereas, Israel declared its independence and self-governance on May 14, 1948, with the goal of reestablishing a homeland for the Jewish people;

Whereas, the United States, having been the first nation to recognize Israel as an independent nation and as Israel's principal ally, has enjoyed a close and mutually beneficial relationship with Israel and her people;

Whereas, Israel is the greatest friend and ally of the United States in the Middle East and the two countries enjoy strong bonds and common values;

Whereas, there are those in the Middle East who, since the time of Israel's inception as a state, have continually sought to destroy Israel;

Whereas, Israel and the United States have similar goals of democracy and stability in the Middle East; and

Whereas, Utah and Israel have enjoyed a cordial and mutually beneficial relationship since 1948, a friendship that continues to strengthen with each passing year: Now, therefore, be it

Resolved, That the Legislature of the state of Utah, the Governor concurring therein, commend Israel for its cordial and mutually beneficial relationship with the United States and with the state of Utah; and be it further

Resolved, That the Legislature and the Governor express support for Israel in its legal, historical, and moral right of self-governance and self-defense upon its lands; and be it further

Resolved, That the Legislature and the Governor recognize that Israel is not an attacking force of other nations, and that peace can be afforded the region only through combined efforts and trust; and be it further

Resolved, That a copy of this resolution be sent to the Embassy of Israel to the United States, the President of the United States, the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, and the members of Utah's congressional delegation.

POM-99. A joint resolution adopted by the Legislature of the State of Utah urging the President of the United States and the United States Congress to support free trade with Taiwan; to the Committee on Foreign Relations.

SENATE JOINT RESOLUTION NO. 12

Whereas, the state of Utah is proud of the sister-state relationship it has enjoyed with Taiwan since 1980;

Whereas, Taiwan, as a full-fledged democracy, shares the same values of freedom, democracy, human rights, open market, peace, and prosperity with the United States;

Whereas, Taiwan is currently the 18th largest exporter as well as importer, the United States' 10th largest trading partner, and the 6th largest agricultural products market;

Whereas, despite being a member of the World Trade Organization since 2002 and a faithful ally and an important strategic partner of the United States, Taiwan has yet to sign a free trade agreement with the United States;

Whereas, approximately 580,000 people from Taiwan visit the United States annually, and Taiwanese airline carriers currently have more than 40 flights destined for the United States weekly, carrying more than 5,000 passengers daily for business, tourism, study, and other purposes;

Whereas, Taiwanese airlines fly to every corner of the globe and Taiwan aims to ensure that all aspects of its aviation sector conform to the standard formulated by the International Civil Aviation Organization (ICAO) for safety and security;

Whereas, for the past 40 years, however, Taiwan has not been able to enter or meaningfully participate in the ICAO;

Whereas, this hampers Taiwan's voluntary efforts to comply with the ICAO standards due to lack of timely and comprehensive information;

Whereas, Taiwan has recently promoted an East China Sea Peace Initiative, a commendable effort to ease tensions that might seriously endanger peace and prosperity in the region; and

Whereas, resolving disputes in the East China Sea in a rational and peaceful manner is in the best interests of all parties in the region and the United States: Now, therefore, be it

Resolved, That the Legislature of the state of Utah reaffirms the friendship, and encourages the sister-state relationship, between Utah and Taiwan; and be it further

Resolved, That the Legislature urges the President of the United States and the United States Congress to support a free trade agreement with Taiwan and support Taiwan's participation in multilateral free trade negotiations; and be it further

Resolved, That the Legislature expresses its continued support for Taiwan's meaningful participation in United Nations specialized organizations, conventions, and programs, such as acquiring an observer status in the International Civil Aviation Organization; and be it further

Resolved, That the Legislature welcomes Taiwan's initiative for peace and stability in the Asia-Pacific Region and urges all parties concerned in East China Sea disputes to refrain from any antagonistic actions and resolve their differences through open dialogue and other peaceful means; and be it further

Resolved, That a copy of this resolution be sent to the President of the United States, the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, the President of the Republic of China on Taiwan, and the members of Utah's congressional delegation.

POM-100. A joint resolution adopted by the Legislature of the State of Alaska opposing the United States Food and Drug Administration's preliminary finding relating to genetically engineered salmon; to the Committee on Health, Education, Labor, and Pensions.

HOUSE JOINT RESOLUTION NO. 5

Whereas the United States Food and Drug Administration recently announced the release of a draft environmental assessment

and preliminary finding of no significant impact concerning genetically engineered AquaBounty AquAdvantage salmon; and

Whereas the state has bountiful fisheries that provide wild, natural, and sustainable seafood; and

Whereas Alaska seafood is naturally high in essential vitamins, including vitamins E, C, D, and A, and minerals, including zinc, iron, calcium, and selenium; and

Whereas fish habitat in the state is cleaner than fish habitat in other locations; and

Whereas fisheries are a vital component of the state's economy; and

Whereas the state's fisheries are managed to ensure that Alaska seafood continues to be the finest in the world for future generations; and

Whereas, in 2009, 95 percent of Pacific salmon landings in the United States occurred in the state; and

Whereas, in 2012, 124,000,000 salmon were harvested in the state, for a value of \$505,000,000; and

Whereas Alaska ports consistently rank among the top ports in the United States based on volume and ex-vessel value for various fisheries, including salmon; and

Whereas the state's fishing industry provides over 70,000 jobs annually and is the second largest source of private sector employment in the state; and

Whereas the United States Food and Drug Administration is accepting comments on the proposal to allow, for the first time, a genetically modified organism to be sold for human consumption; and

Whereas the inevitable accidental release of transgenic fish into the wild could devastate native fish populations and ecosystems; and

Whereas citizens and public interest groups overwhelmingly oppose genetically engineered food and have submitted over 400,000 public comments opposing genetically engineered salmon; and

Whereas the United States Food and Drug Administration has not conducted adequate testing to determine the long-term safety of consuming genetically engineered salmon; and

Whereas the sale of genetically engineered salmon could imperil the state's fishing industry; and

Whereas seven members of the United States Senate continue to have concerns about AquaBounty's proposal and the United States Food and Drug Administration's review of the proposal; and

Whereas the United States Food and Drug Administration's review applies only to a limited set of production and rearing facilities and fails to consider the broader applications of this technology that would assuredly occur should final approval be granted: Now, therefore, be it

Resolved, That the Alaska State Legislature urges the United States Food and Drug Administration not to make a final decision regarding genetically engineered salmon until the United States Congress has fully examined the issue and the potential release of genetically engineered fish into the waters of the United States; and be it further

Resolved, That the Alaska State Legislature opposes AquaBounty's petition to produce AquAdvantage Salmon, a genetically engineered salmon; and be it further

Resolved, That, if the petition is approved by the United States Food and Drug Administration, despite strong environmental and human health concerns, product labeling requirements must include, as required by Alaska law, the words "Genetically Modified" prominently displayed on the front of the product's packaging.

POM-101. A joint resolution adopted by the Legislature of the State of Maine memori-

alizing the United States Congress to oppose section 8 of H.R. 1919; to the Committee on Health, Education, Labor, and Pensions.

JOINT RESOLUTION

Whereas, Section 8 of H.R. 1919, "An Act to Amend the Federal Food, Drug, and Cosmetic Act," allows prescription drug manufacturers to decide to supply drug information labels only by electronic means, as opposed to the paper labels currently accompanying prescription drugs upon receipt; and

Whereas, a similar provision is not contained in the United States Senate's version of the bill; and

Whereas, the United States Congress addressed electronic labeling in 2012 and directed the United States Government Accountability Office to study the potential advantages and associated risks of this labeling and the results of the study are due to be released in July 2013; and

Whereas, Congress should await the results of the study it ordered to be undertaken before passing legislation that would require critical medical information, such as information on dangerous side effects and contraindications, to be made available to health care professionals and prescription drug consumers only by electronic means; and

Whereas, Maine would be disproportionately negatively affected by Section 8 of H.R. 1919; and

Whereas, as of 2011, 16.3% of Maine's population was over 65 years of age, compared to only 13.3% for the nation as a whole; and

Whereas, due to its geography, climate and highly dispersed and rural population, significant areas of Maine do not have reliable access to the Internet; and

Whereas, Maine relies on the forest products industry to create and maintain jobs and sustainably manage Maine's forests, and that industry would be negatively affected by Section 8 of H.R. 1919 without further study of the effects: Now, therefore, be it

Resolved, That We, your Memorialists, the Members of the One Hundred and Twenty-sixth Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to urge and request that Section 8 of H.R. 1919 not be passed until the Government Accountability Office study on the effects of required electronic-only labeling for prescription medications is published, reviewed and considered; and be it further

Resolved, That We urge and request that this section of the bill not become law without further consideration and mitigation of the disproportionate negative effects on Maine's elderly, rural and highly dispersed population; and be it further

Resolved, That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the United States Senate, to the Speaker of the United States House of Representatives and to each Member of the Maine Congressional Delegation.

POM-102. A joint resolution adopted by the Legislature of the State of California supporting the congressional action to reverse the suspension of new student enrollments in the Job Corps; to the Committee on Health, Education, Labor, and Pensions.

ASSEMBLY JOINT RESOLUTION NO. 13

Whereas, the State of California serves the largest proportion of Job Corps students administered by the United States Department of Labor. Currently, there are seven Job Corps centers located in California in the Cities of Long Beach, Los Angeles, Sacramento, San Bernardino, San Diego, San Francisco, and San Jose; and

Whereas, these seven Job Corps centers provide a vital piece of California's workforce development system by serving 5,373

disadvantaged youth between 16 and 24 years of age, inclusive, by providing high school diplomas and career technical education to young men and women, all of whom come from very low income households and are unemployed or underemployed; and

Whereas, in addition to academic and employment training, these Job Corps centers provide social skills training and other services to empower these young men and women to obtain and hold a job, enroll in advanced training, attend college, or enter the Armed Forces to defend the interests of the United States around the world; and

Whereas, over 8,000 former dropouts have received fully accredited public high school diplomas at the Job Corps centers and thousands more unemployed youth have received career training and job placement assistance; and

Whereas, the young men and women who participate in the Job Corps gain entry level job skills for well-paying careers in construction, health care, culinary arts, security services, and other employment sectors vital to California's economy; and

Whereas, recent studies demonstrate a significant economic gain from funds invested in dropout recovery by increasing employment, raising individual earnings, improving home and auto sales, increased job and economic growth, greater spending and investments, and tax revenues, and significant reductions in health care costs, crime prevention and corrections expenditures, and other social services provided by California; and

Whereas, the National Job Corps Association reports that the combined economic activity stimulated by the Job Corps centers in California is two hundred forty-three million seven hundred twenty-six thousand five hundred nineteen dollars (\$243,726,519), and that 2,971 local jobs are created by the operation of the Job Corps centers in California; and

Whereas, the United States Department of Labor is entrusted to serve the disadvantaged youth in America. However, the United States Department of Labor recently decided to suspend all new student enrollments to Job Corps centers in California and throughout the 125 Job Corps centers serving the nation, which would prevent as many as 30,000 otherwise eligible young men and women from receiving diplomas and job training; and

Whereas, recent decisions of the United States Department of Labor to implement a 93-day suspension of new student enrollment and a 21-percent reduction in funding for future enrollments appear to be inequitably balancing a budget shortfall on the backs of disadvantaged youth it is entrusted to serve when other alternatives are available for closing the shortfall; and

Whereas, seventy-one members of the United States House of Representatives and 17 members of the United States Senate have sent a bipartisan letter asking Acting Secretary and Deputy Secretary of Labor, Seth D. Harris, to reverse the suspension of new student enrollments in order to protect the opportunities provided to the nation's most disadvantaged youth and to prevent further economic damage to the communities served by the Job Corps; Now, therefore, be it

Resolved, by the Assembly and the Senate of the State of California, jointly, That the Legislature supports the United States congressional action to reverse the suspension of new student enrollments in the Job Corps, to prevent any limits to student enrollment until other cost-saving measures have been exhausted, and to maintain the full range of educational and employment services provided by the Job Corps; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the

United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, and to each Senator and Representative from California in the Congress of the United States.

POM-103. A concurrent resolution adopted by the Legislature of the State of Louisiana urging and requesting the Department of Health and Hospitals examine the benefits of routine nutritional screening and therapeutic nutrition treatment for those who are malnourished or at risk for malnutrition; to the Committee on Health, Education, Labor, and Pensions.

SENATE CONCURRENT RESOLUTION NO. 41

Whereas, the National Black Caucus of State Legislators (NBCSL) has established policy promoting the importance of quality nutrition for all Americans in order to maintain healthy, active, independent lifestyles; and

Whereas, the NBCSL adopted policy supporting increased access to quality nutrition and support for infants and children, as passed by the United States Congress in Resolution HHS-11-19; and

Whereas, leading health and nutrition experts agree that nutrition status is a direct measure of patient health and that good nutrition and good patient health can keep people healthy and out of institutionalized health care facilities, thus reducing healthcare costs; and

Whereas, inadequate or unbalanced nutrition, known as malnutrition, is not routinely viewed as a medical concern in this nation, and that malnutrition is particularly prevalent in vulnerable populations, such as older adults, hospitalized patients, or minority populations that statistically shoulder the highest incidences of the most severe chronic illnesses such as diabetes, kidney disease, and cardiovascular disease; and

Whereas, illness, injury, and malnutrition can result in the loss of lean body mass, leading to complications that impact good patient health outcomes, including recovery from surgery, illness, or disease; the elderly lose lean body mass more quickly and to a greater extent than younger adults and weight assessment (body weight and body mass index) can overlook accurate indicators of lean body mass; and

Whereas, the American Nursing Association defines therapeutic nutrition as the administration of food and fluids to support the metabolic processes of a patient who is malnourished or at high risk of becoming malnourished; and

Whereas, access to therapeutic nutrition is critical in restoring lean body mass such that it resolves malnutrition challenges and, in turn, improves clinical outcomes, reduces health care costs, and can keep people and our communities healthy; and

Whereas, despite the recognized link between good nutrition and good health, nutritional screening and therapeutic nutrition treatment have not been incorporated as routine medical treatments across the spectrum of health care; Now, therefore, be it

Resolved, That the Legislature of Louisiana urges and requests that the Department of Health and Hospitals examine the benefits of routine nutritional screening and therapeutic nutrition treatment for those who are malnourished or at risk for malnutrition, as well as examine the benefits of nutrition screening and therapeutic nutrition treatment as part of the standard for evidenced-based hospital care; and be it further

Resolved, That the Legislature of Louisiana supports an increased emphasis on nutrition through the reauthorization of the Older Americans Act, as well as for Medicare beneficiaries, to improve their disease management and health outcomes; and be it further

Resolved, That the Legislature of Louisiana is encouraged that preventive and wellness services, such as counseling for obesity and chronic disease management, are part of the Essential Health Benefits package included in the Patient Protection and Affordable Care Act; and be it further

Resolved, That a copy of this resolution be transmitted to the president of the United States, the vice president of the United States, the secretary of the United States Senate and the clerk of the United States House of Representatives, to each member of the Louisiana delegation to the United States Congress, and to the secretary of the Department of Health and Hospitals.

POM-104. A concurrent resolution adopted by the Legislature of the State of Utah describing the impacts of the federal Patient Protection and Affordable Care Act on Utah families, insurers, health care providers, and the state; to the Committee on Health, Education, Labor, and Pensions.

HOUSE CONCURRENT RESOLUTION NO. 10

Whereas, the federal Patient Protection and Affordable Care Act and its companion legislation, the Health Care and Education Reconciliation Act of 2010, referred to jointly as "the Affordable Care Act," "the ACA," or "Obamacare," were enacted in March 2010;

Whereas, under the ACA, Utah families, employers, manufacturers, and insurers will pay at least 18 new or increased taxes and fees that over 10 years will transfer \$500 billion from the private sector to the public sector, suppressing economic growth and reducing employment in the state;

Whereas, hundreds of Utah medical device companies will be subject to the ACA's excise tax on manufacturers and importers of certain medical devices, without regard for company profitability;

Whereas, the tax will threaten the viability of many firms and have a chilling effect on the very innovation needed to drive down health care costs and support economic growth in this state;

Whereas, Utahns will suffer further reductions in employment growth and economic activity as employers comply with uncompensated regulatory burdens imposed by the ACA;

Whereas, Utah families will also pay more for goods and services as employers, insurers, and medical providers pass along various costs imposed by the ACA;

Whereas, health insurance premiums for certain younger, healthier Utahns will more than double in 2014 as the result of various ACA provisions, including a prohibition on medical underwriting and restrictions on the use of age-based premiums;

Whereas, the cost of insurance for many other Utah families will go up as well in response to ACA provisions that are known to drive up costs, including prohibitions on pre-existing condition exclusions, annual benefit limits, and lifetime benefit limits;

Whereas, the ACA will penalize Utah employers that have more than 50 employees if they do not offer health insurance to their employees, even if an employer cannot afford insurance or chooses instead to compensate employees with higher wages, larger retirement contributions, or other employee benefits;

Whereas, working Utah families will have fewer full-time employment opportunities as employers replace full-time workers with part-time workers to avoid ACA penalties;

Whereas, some Utah families will be unable to keep their current health insurance and may have fewer options as employers abandon plans not meeting minimum benefit and affordability requirements in order to avoid ACA penalties;

Whereas, working Utah families will find it even harder to secure employment with health insurance benefits as premium increases continue unabated in response to both the ACA and long-term cost drivers not addressed by the ACA;

Whereas, many Utahns will face increased premiums as their insurers attempt to fund \$81 million in losses created by the ACA's transfer of individuals from publicly funded high-risk pools to the private insurance market;

Whereas, many Utah families with insurance offered by small or midsize employers could be threatened with higher premiums or no insurance at all if commercial insurance risk increases too much as the result of employers dropping coverage or switching to self-insurance arrangements;

Whereas, there is a high likelihood that many Utah families will experience higher premiums due to the ACA's minimum benefit requirements, which threaten to ratchet up plan costs both inside and outside health insurance exchanges;

Whereas, Utah families will pay higher insurance premiums because of ACA provisions that subsidize states with high-cost, poorly managed health care plans at the expense of states like Utah that have low-cost, better managed plans;

Whereas, Utah seniors will likely have fewer care options due to Medicare provider payment reductions made by the ACA;

Whereas, Medicaid enrollees will likely have greater difficulty making appointments with health care providers as Medicaid enrollment expands under the ACA, particularly after the two-year enhanced reimbursement rate for primary care providers ends;

Whereas, Utah hospitals will suffer as a result of ACA reductions in funds paid to hospitals that serve a disproportionate number of low-income individuals;

Whereas, Utah families will suffer if medical facilities close or medical practitioners leave their professions in response to the financial strain created by shrinking provider payments under the ACA;

Whereas, state funding for education, roads, public safety, and other important services will be crowded by a \$46 million annual liability to pay for the ACA's mandatory Medicaid eligibility expansion;

Whereas, we and our children must one day pay the price for entitlements Congress has created but failed to realistically fund, including the ACA;

Whereas, that price already includes tax increases and cost shifting to our posterity, and will likely include benefit reductions and even currency devaluation;

Whereas, that price will tend to include the shifting of greater fiscal responsibility for government programs—including Medicaid—from Washington to the states, even further crowding out funding for education and other essential state services;

Whereas, the real cost of more Utahns having insurance under the ACA will be a far greater dependence on government, not less;

Whereas, under an optional Medicaid expansion the state would incur large, ongoing funding liabilities and both the state and its citizens would be more dependent, not less dependent, on a fiscally unsustainable federal government;

Whereas, Utah has refused to exacerbate the federal fiscal crisis by choosing not to implement the ACA's federally subsidized health insurance exchange, which makes people dependent on large government subsidies and gives priority to publicly funded, rather than privately funded, coverage;

Whereas, because of the ACA, Utah employers, insurers, and health care providers will face more regulation, not less regulation, and will have fewer options, not more

options, for addressing the underlying challenges faced by our health care system;

Whereas, notwithstanding the ACA's focus on preventive care and its acknowledgment of alternative payment and delivery systems, many Utahns will see little relief from premium increases driven by underlying problems the ACA fails to address, including reliance on payment and delivery systems that promote over consumption of health care;

Whereas, implementation of the ACA will tend to destroy the private market for health insurance and move families, insurers, and health care providers ever closer to a single-payer system of federally controlled health care;

Whereas, the state, its citizens, employers, insurers, and health care providers will all suffer as the ACA fails to bring unsustainable health care spending under control and metastasizes instead into greater federal regulation and control of not just health care, but most aspects of Utahns' and Americans' daily lives and activities;

Whereas, the ACA disregards state jurisdiction over health care policy and constrains the state's efforts to develop and implement meaningful health care reform; and

Whereas, the Legislature and the Governor believe that successful reform of health care's most vexing problems will require more—not less—state flexibility and innovation: Now, therefore, be it

Resolved, That the Legislature of the state of Utah, the Governor concurring therein, urges the state's Congressional delegation to continue its efforts to arrest the devastating impacts of the ACA on Utah's economy, its citizens, its employers, its medical providers, and its insurers, using all means possible, including repeal of the act; and be it further

Resolved, That the Legislature and the Governor urge Utah's Congressional delegation to work cooperatively with other members of Congress and officials of this state and other states to develop workable alternatives to the ACA that encourage state innovation, preserve states' policy-making jurisdiction and regulatory authority, and lead to greater enrollment in affordable health insurance; be it further

Resolved, That the Legislature and the Governor affirm by this resolution the state's policy that no person in this state should be required to either sponsor or enroll in health insurance, particularly under threat of federal penalty; and be it further

Resolved, That the Legislature and the Governor urge the Legislature's Health Reform Task Force to continue working cooperatively with the Governor's Office to ensure that ACA implementation rules address the needs of Utah families, employers, health care providers, insurers, and insurance regulators; and be it further

Resolved, That the Legislature and the Governor urge all stakeholders in Utah's health care system—including families, employers, health care providers, and insurers—to continue working cooperatively with the Governor and the Legislature to develop state-based health care reforms with the greatest potential for increasing consumerism, improving quality of care, constraining spending growth, and promoting enrollment in affordable health insurance, regardless of how ACA implementation unfolds; be it further

Resolved, That this resolution be sent to the United States Secretary of Health and Human Services, the Governor, the Legislature's Health Reform Task Force, Utah's Congressional delegation, the Utah Health Policy Project and other consumer advocacy groups, the Salt Lake Chamber of Commerce and other employer associations, the Utah Hospital Association, the Utah Medical Asso-

ciation, Utah insurers, the Utah Association of Health Underwriters, and the Speakers and Presidents presiding over the legislatures of each of the 49 other states.

POM-105. A concurrent resolution adopted by the Legislature of the State of Utah urging the federal government to take action to ensure continued funding of cancer education, screening, and treatment services to victims of mill tailings exposure; to the Committee on Health, Education, Labor, and Pensions.

SENATE CONCURRENT RESOLUTION NO. 10

Whereas, the Rural Health Care Services Grant Program Outreach, a federally funded project providing cancer education, screening, and treatment services to those who are victims of mill tailings exposure, resulted in the diagnosis of 39 new cancers and 32 cases of precancerous polyps;

Whereas, funding has been exhausted and program activities halted, pending continued federal support;

Whereas, the United States Secretary of Health and Human Services should instruct the Health Resources and Services Administration to fund cancer education, screening, and treatment services to victims of mill tailings exposure until 2044, or until another equitable resolution can be reached through the United States Department of Energy;

Whereas, the assistance of Utah's congressional delegation would help provide federal resources to ensure cancer education, screening, and treatment services to victims of 51 mill tailings exposure through 2044;

Whereas, the United States Attorney General's Office should investigate the United States Department of Energy's federal statutory limitations in providing cancer education, screening, and treatment services to victims of mill tailings exposure and offer suggestions for federal legislation;

Whereas, the Office of the Utah Attorney General should investigate the inclusion of victims of mill tailings exposure in the Energy Employees Occupational Illness Compensation Program Act, which provides medical benefits to workers, contractors, subcontractors, and vendors at specified Department of Energy facilities;

Whereas, the Office of the Utah Attorney General should investigate the inclusion of victims of mill tailings exposure in the Radiation Exposure Compensation Act for their onsite participation and exposure to radiation from the uranium mill and its tailings; and

Whereas, the United States Congress should direct Legacy Management to provide from its budget an annual stipend for victims of mill tailings exposure to use in establishing a consistent cancer education, screening, and treatment services program: Now, therefore, be it

Resolved, That the Legislature of the state of Utah, the Governor concurring therein, urge the United States Secretary of Health and Human Services to instruct the Health Resources and Services Administration to fund cancer education, screening, and treatment services to victims of mill tailings exposure until 2044 or until another equitable resolution can be reached through the United States Department of Energy; and, be it further

Resolved, That the Legislature and the Governor urge Utah's congressional delegation to help provide federal resources to ensure cancer education, screening, and treatment services to victims of mill tailings exposure through 2044. Be it further

Resolved, That the Legislature and the Governor urge the United States Attorney General's Office to investigate the United States Department of

Energy's federal statutory limitations in providing cancer education, screening, and treatment services to victims of mill tailings exposure and offer suggestions for federal legislation. Be it further

Resolved, That the Legislature and the Governor urge the Office of the Utah Attorney General to investigate the inclusion of victims of mill tailings exposure in the Energy Employees Occupational Illness Compensation Program Act and their inclusion in the Radiation Exposure Compensation Act for their onsite participation and exposure to radiation from the uranium mill and its tailings. Be it further

Resolved, That the Legislature and the Governor urge the United States Congress to direct Legacy Management to provide from its budget an annual stipend for victims of mill tailings exposure to use in establishing a consistent cancer education, screening, and treatment services program. Be it further

Resolved, That a copy of this resolution be sent to Victims of Mill Tailings Exposure, the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, the Office of Legacy Management, the Office of the Utah Attorney General, the United States Attorney General's Office, the United States Department of Energy, the United States Secretary of Health and Human Services, the Health Resources and Services Administration, and the members of Utah's congressional delegation.

POM-106. A concurrent resolution adopted by the Legislature of the State of Hawaii commemorating the twentieth anniversary of Public Law 103-150; to the Committee on Indian Affairs.

HOUSE CONCURRENT RESOLUTION NO. 6

Whereas, in 1993, the United States Congress passed Public Law 103-150 (the "Apology Resolution"), acknowledging and apologizing for the critical role of United States diplomats, military forces, and citizens in the overthrow of the sovereign Kingdom of Hawai'i; and

Whereas, the Apology Resolution confirms that the actions of United States agents in the overthrow and occupation of the Hawaiian government violated treaties between the United States and the sovereign Kingdom of Hawai'i, and norms of international law; and

Whereas, the Apology Resolution confirms that one million eight hundred thousand acres of crown and government lands were thereafter ceded to the United States without consent or compensation to the Native Hawaiian people or their sovereign government, as a result of the United States' annexation of Hawai'i; and

Whereas, the Apology Resolution recognizes that the Native Hawaiian people never relinquished their claims to their inherent sovereignty as a people or of their national lands throughout the overthrow, occupation, annexation, and admission of Hawai'i into the United States; and

Whereas, the Apology Resolution recognizes that the health and well-being of the Native Hawaiian people is intrinsically tied to their deep feelings and attachment to the land; and

Whereas, the Apology Resolution recognizes that the Native Hawaiian people are determined to preserve, develop, and transmit to their descendants, both their ancestral lands and their cultural identity; and

Whereas, the Apology Resolution acknowledges that the overthrow has resulted in the suppression of the inherent sovereignty of the Native Hawaiian people; and

Whereas, the Apology Resolution apologizes to the Native Hawaiian people on be-

half of the people of the United States, commends the efforts of reconciliation initiated by the State of Hawaii and the United Church of Christ with the Native Hawaiians, including the appropriation of funds to educate the public regarding Hawaiian sovereignty; and

Whereas, the State Legislature also passed Act 340, Session Laws of Hawaii 1993, mandating that the lands and waters of Kaho 'olawe island be held in the public land trust, directing the State to transfer management and control of these lands and waters to the sovereign Native Hawaiian entity upon its recognition by the United States and the State of Hawai'i, and establishing the Kaho 'olawe Island Reserve Commission to manage these lands and waters in the interim; and

Whereas, the State Legislature passed Act 329, Session Laws of Hawaii 1997, recognizing the deep sense of injustice felt among many Native Hawaiians and others and affirming that reconciliation with the Native Hawaiian people is desired by all people of Hawai'i; and

Whereas, in 2000, the Department of the Interior and the Department of Justice published a report, "From Mauka to Makai: The River of Justice Must Flow Freely," which formally initiated the federal government's efforts to reconcile past injustices, and recognize and establish a government-to-government relationship with the Native Hawaiian people; and

Whereas, in 2000 and 2002, the United States Congress passed Public Law 106-568, the Hawaiian Homelands Homeownership Act, and Public Law 107-110, the reenacted Native Hawaiian Education Act, confirming the special relationship between the federal government and the Native Hawaiian people; and

Whereas, in 2005, Hawai'i's entire congressional delegation, including then-representative and current Governor of Hawai'i, Neil Abercrombie, as well as the then-Hawai'i Governor, expressed to the United States Senate Committee on Indian Affairs their unanimous support for self-governance and self-determination for Native Hawaiians; and

Whereas, in *Office of Hawaiian Affairs v. Housing and Community Development Corporation of Hawaii (HCDCH)*, 117 Hawaii 174, 195 (2008), rev'd and remanded by 556 U.S. 163 (2009), the Supreme Court of the State of Hawai'i held that "the Apology Resolution and related state legislation . . . give rise to the State's fiduciary duty to preserve the corpus of the public lands trust, specifically, the ceded lands, until such time as the unrelinquished claims of the native Hawaiians have been resolved."; and

Whereas, in *Office of Hawaiian Affairs v. HCDCH*, 117 Hawaii 174, 216, the Supreme Court of the State of Hawai'i also recognized the critical importance of the 'āina to Hawaiian people and stated, "We firmly believe that, given the 'crucial importance [of the 'āina or land to] the [n]ative Hawaiian people and their culture, their religion, their economic self-sufficiency, and their sense of personal and community well-being,' any further diminishment of the ceded lands (the 'āina) from the public lands trust will negatively impact the contemplated reconciliation/settlement efforts between native Hawaiians and the State"; and

Whereas, the State Legislature passed Act 195, Session Laws of Hawaii 2011, acknowledging that Native Hawaiians are the only indigenous, aboriginal, maoli population of Hawai'i nei, that the State of Hawai'i has a special political and legal relationship with the Native Hawaiian people, that Native Hawaiians have continued to maintain their identity as a distinctly native political community with rights to self-determination, self-governance, and self-sufficiency, and es-

tablishing a Native Hawaiian roll commission to maintain a roll of qualified Native Hawaiians to facilitate Native Hawaiian self-governance; Now, therefore, be it

Resolved by the House of Representatives of the Twenty-seventh Legislature of the State of Hawaii, Regular Session of 2013, the Senate concurring, That the Legislature hereby commemorates the twentieth anniversary of the Apology Resolution, recognizes the progress that has been made towards reconciliation and Native Hawaiian self-governance and self-determination, reaffirms the State's commitment to reconciliation with the Native Hawaiian people for historical injustices, urges the federal government to advance reconciliation efforts with Native Hawaiians, and supports efforts to further the self-determination and sovereignty of Native Hawaiians; and be it further

Resolved, That certified copies of this Concurrent Resolution be transmitted to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, the Chief Justice of the Supreme Court of the United States, the Chief Justice of the Supreme Court of Hawai'i, the Governor of the State of Hawai'i, and the Chairperson of the Board of Trustees of the Office of Hawaiian Affairs.

POM-107. A resolution adopted by the General Assembly of the State of New Jersey expressing strong opposition to the recent United States Supreme Court decision in *Citizens United v. Federal Election Commission*; to the Committee on the Judiciary.

ASSEMBLY RESOLUTION NO. 86

Whereas, A divided United States Supreme Court, in a 5-to-4 decision issued on January 21, 2010 in *Citizens United v. Federal Elections Commission*, overturned two important precedents by lifting a 20-year ruling in *Austin v. Michigan Chamber of Commerce*, that restricted campaign spending by corporations in support of or in opposition to political candidates; and

Whereas, The Court also overturned part of its 2003 decision in *McConnell v. Federal Elections Commission* by rejecting a large portion of the Bipartisan Campaign Reform Act of 2002, commonly called McCain Feingold, which restricted campaign spending by corporations and unions by banning broadcast, cable or satellite transmissions of electioneering communications paid for by corporations or labor unions from their general funds in the 30 days before a presidential primary and in the 60 days before the general election; and

Whereas, In his 80-page dissent in the *Citizens United* case, Justice Stevens called the decision "a radical change in the law" that ignores "the overwhelming majority of justices who have served on this court" and stated that "In the context of election to public office, the distinction between corporate and human speakers is significant . . . [Corporations] cannot vote or run for office. Because they may be managed and controlled by nonresidents, their interests may conflict in fundamental respects with the interests of eligible voters"; and

Whereas, President Obama recently criticized the ruling as "a green light to a new stampede of special interest money," and declared "It is a major victory for big oil, Wall Street banks, health insurance companies and the other powerful interests that marshal their power every day in Washington to drown out the voices of everyday Americans"; and

Whereas, Senator John McCain who co-wrote the 2002 campaign reform law with

Senator Russell Feingold, said he was “disappointed” by the decision, and Senator Feingold called the decision “a terrible mistake” ignoring “important principles of judicial restraint and respect for precedent”; and

Whereas, For decades, Congress has exercised its constitutional authority to regulate elections by seeking to prevent corporations and unions from exerting undue influence or the appearance of undue influence over federal candidates; and

Whereas, It is fitting and proper for the [Senate] General Assembly of this State to express its opposition to the Citizens United decision and to call upon the Congress of the United States to propose an amendment to the United States Constitution to provide that, with respect to corporation campaign spending, a person is only a natural person for First Amendment protection of free speech; Now, therefore, be it

Resolved by the General Assembly of the State of New Jersey:

1. The General Assembly of the State of New Jersey expresses strong opposition to the United States Supreme Court ruling in *Citizens United v. Federal Elections Commission* and calls upon the Congress of the United States to propose an amendment to the United States Constitution to provide that with regard to corporation campaign spending, a person means only a natural person for First Amendment protection of free speech.

2. Duly authenticated copies of this resolution, signed by the Speaker of the General Assembly and attested to by the Clerk of the Assembly, shall be transmitted to the President and Vice President of the United States, the Majority and Minority Leaders of the United States Senate, the Speaker and Minority Leader of the United States House of Representatives, and to each member of the United States Congress elected from this State.

POM-108. A joint resolution adopted by the Legislature of the State of Maine memorializing the United States Congress to pass a constitutional amendment to reverse the ruling of the United States Supreme Court in *Citizens United v. Federal Election Commission*; to the Committee on the Judiciary.

JOINT RESOLUTION

Whereas, United States Supreme Court rulings, beginning with *Buckley v. Valeo* and continuing through *Citizens United v. Federal Election Commission* and others, disproportionately elevate the role of wealthy special interests in elections and diminish the voices and influence of ordinary Americans; and

Whereas, Maine citizens wish to develop effective tools for self-governance, including strong laws governing elections and campaign finance; and

Whereas, the current legal landscape severely constrains the range of options available to citizens, frustrating efforts to reduce the influence of moneyed interest in elections and in government: Now, therefore, be it

Resolved, That We, your Memorialists, hereby declare our support for an amendment to the United States Constitution regarding campaign finance that would reaffirm the power of citizens through their government to regulate the raising and spending of money in elections; and be it further

Resolved, That We, your Memorialists, call upon each Member of the Maine Congressional Delegation to actively support and promote in Congress an amendment to the United States Constitution on campaign finance; and be it further

Resolved, That suitable copies of this resolution, duly authenticated by the Secretary

of State, be transmitted to the President of the United States Senate, to the Speaker of the United States House of Representatives and to each Member of the Maine Congressional Delegation.

POM-109. A joint resolution adopted by the Legislature of the State of Tennessee urging the United States Congress to adopt a balanced budget; to the Committee on the Judiciary.

SENATE JOINT RESOLUTION NO. 38

Whereas, with each passing year our nation falls further into debt as federal government expenditures repeatedly exceed available revenue; and

Whereas, the annual federal budget has risen to unprecedented levels, demonstrating an unwillingness or inability of both the Legislative and Executive branches of federal government to control the federal debt; and

Whereas, knowledgeable planning and fiscal prudence require that the budget reflect all federal spending and that the budget be in balance; and

Whereas, fiscal discipline is a powerful means for strengthening our nation; with less of America's future financial resources channeled into servicing the national debt, more of our tax dollars would be available for public endeavors that reflect our national priorities, such as education, health, the security of our nation, and the creation of jobs; and

Whereas, Thomas Jefferson recognized the importance of a balanced budget when he wrote: “The question whether one generation has the right to bind another by the deficit it imposes is a question of such consequence as to place it among the fundamental principles of government. We should consider ourselves unauthorized to saddle posterity with our debts, and morally bound to pay for them ourselves.”; and

Whereas, state legislatures overwhelmingly recognize the necessity of maintaining a balanced budget; whether through constitutional requirement or by statute, forty-nine states require a balanced budget; and

Whereas, the federal government's unlimited ability to borrow involves decisions of such magnitude, with such potentially profound consequences for the nation and its people, today and in the future, that it is of vital importance to the future of the United States of America that a balanced budget be adopted on an annual basis: Now, therefore, be it

Resolved by the Senate of the One Hundred Eighth General Assembly of the State of Tennessee, the House of Representatives concurring, That we hereby strongly urge the United States Congress to adopt a balanced federal budget on an annual basis; and be it further

Resolved, That an enrolled copy of this resolution be transmitted to the President and the Secretary of the United States Senate, the Speaker and the Clerk of the United States House of Representatives, and each member of Tennessee's Congressional delegation.

POM-110. A concurrent resolution adopted by the Legislature of the State of Oklahoma reaffirming the definition of marriage as the union of one man and one woman; to the Committee on the Judiciary.

HOUSE CONCURRENT RESOLUTION NO. 1009

Whereas, marriage is the building block upon which our society is based; and

Whereas, on November 2, 2004, Oklahoma voters expressed their collective intent to define marriage as the union of one man and one woman by approving State Question 711 which was an amendment to Article II of the Oklahoma Constitution; and

Whereas, the power to regulate marriage is a power reserved to the states that lies within the domain of state legislatures and not with the judicial branch of government; and

Whereas, the United States Supreme Court recently heard oral arguments in two separate cases that challenge the constitutionality of the federal Defense of Marriage Act and the authority of states to regulate marriage; and

Whereas, the Oklahoma Legislature commends the Honorable E. Scott Pruitt, Attorney General of Oklahoma, for filing an amicus curiae brief supporting Oklahoma's right to regulate marriage: Now, therefore, be it

Resolved by the House of Representatives of the 1st Session of the 54th Oklahoma Legislature, the Senate Concurring Therein, That the Oklahoma Legislature reaffirms its commitment to define marriage as the union of one man and one woman and urges the United States Supreme Court to uphold the Defense of Marriage Act and the right of states to regulate marriage. Be it further

Resolved, That a copy of this resolution be distributed to the President and Vice President of the United States and to the Oklahoma Congressional Delegation.

POM-111. A joint resolution adopted by the Legislature of the State of California urging the federal government, including the Department of Homeland Security and the General Services Administration, to fund necessary improvements at the San Ysidro, Calexico, and Otay Mesa Ports of Entry; to the Committee on the Judiciary.

ASSEMBLY JOINT RESOLUTION NO. 4

Whereas, The United States, Canada, and Mexico signed the North American Free Trade Agreement (NAFTA) in 1993 to foster trade among the countries, and improve global competitiveness; and

Whereas, Trade between the United States and Mexico has more than quintupled since the implementation of NAFTA, totaling \$500 billion in bilateral trade in 2011; and

Whereas, Mexico continues to be California's number one export market with \$25.8 billion in goods exported to Mexico in 2011, accounting for 16 percent of all California exports; and

Whereas, Ninety-nine percent of trade between California and Mexico is carried by trucks; and

Whereas, The SANDAG 2050 Comprehensive Freight Gateway Study projects that the nearly two million trucks that crossed the California-Mexico border in 2007 will increase to nearly five million trucks in 2050. In 2011, over \$33.5 billion in goods moved between Mexico and the United States at the Otay Mesa Port of Entry and at the Tecate Port of Entry; and

Whereas, The San Diego and Imperial Counties' border traffic congestion and delays cost the U.S. and Mexican economies an estimated \$8.63 billion in gross output and more than 73,900 jobs in 2007; and

Whereas, New land port of entry and improvement projects are under federal jurisdiction with significant influence over local communities; and

Whereas, The San Ysidro-Puerta Mexico Land Port of Entry is the busiest port of entry between the United States and Mexico and is undergoing a major reconfiguration and expansion project; and

Whereas, The Otay Mesa-Mesa de Otay Land Port of Entry has plans for the expansion and modernization of passenger and commercial inspection facilities; and

Whereas, The Calexico West Port of Entry also has plans to renovate and expand the facility to process and expand its operation for pedestrians and automobiles; and

Whereas, The collaboration between federal, state, and local agencies is essential for

the development of border infrastructure projects and security; and

Whereas, The General Accountability Office and the Department of Homeland Security estimate that \$6 billion in border infrastructure is needed to fulfill their mission of preventing unlawful entry and smuggling while facilitating legitimate trade and tourism; and

Whereas, The need for improved border capacity and efficiency comes at a time when traditional federal funding is scarce and increasingly difficult to obtain; and

Whereas, Since February 2009, Congress and the Obama administration have not funded border infrastructure projects; and

Whereas, The San Ysidro project has a stated funding gap of \$285 million, the Calexico project needs \$318 million to complete construction, and the Otay Mesa project requires \$161 million for completion; and

Whereas, Various agencies of the United States, including the Department of Homeland Security and the General Services Administration, should work with Congress to provide funding to support these border infrastructure investments: Now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature urges the federal government, including the Department of Homeland Security and the General Services Administration, to fund necessary improvements at the San Ysidro, Calexico, and Otay Mesa Ports of Entry; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, and to each Senator and Representative from California in the Congress of the United States.

POM-112. A joint resolution adopted by the Legislature of the State of California urging the President to sign and Congress to pass the Violence Against Women Reauthorization Act; to the Committee on the Judiciary.

ASSEMBLY JOINT RESOLUTION NO. 8

Whereas, The federal Violence Against Women Act (VAWA) was developed with the input of advocates from around the country with diverse backgrounds and experiences, and addresses the real and most important needs of victims of domestic violence, sexual assault, dating violence, and stalking; and

Whereas, VAWA represents the voices of women and their families, and the voices of victims, survivors, and advocates; and

Whereas, VAWA was first enacted in 1994, and has been the centerpiece of the federal government's efforts to stamp out domestic and sexual violence. VAWA provides millions of dollars to support programs for victim services, transitional housing, and legal assistance, as well as tools that law enforcement, prosecutors, and judges need to hold offenders accountable and keep communities safe while supporting victims; and

Whereas, Domestic violence, sexual assault, dating violence, and stalking, once considered private matters to be dealt with behind closed doors, have been brought out of the darkness; and

Whereas, VAWA has been successful because it has had consistently strong, bipartisan support for nearly two decades; and

Whereas, Senators Patrick Leahy and Mike Crapo and Representative Gwen Moore have introduced identical legislation, the Violence Against Women Reauthorization Act, in their respective houses with language that includes several updates and improvements to the law, including the following:

(a) An emphasis on the need to effectively respond to sexual assault crime by adding new purpose areas and a 25-percent set-aside in the STOP (Services, Training, Officers, and Prosecutors) Violence Against Women Formula Grant Program (STOP Program) and the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program.

(b) Improvements in tools to prevent domestic violence homicides by training law enforcement, victim service providers, and court personnel to identify and manage high-risk offenders and connecting high-risk victims to crisis intervention services.

(c) Critical improvements that provide important protections for students, immigrant women, as well as the lesbian, gay, bisexual, and transgender and Native American communities.

(d) Improvements in responses to the high rate of violence against women in tribal communities by strengthening concurrent tribal criminal jurisdiction over perpetrators who assault Indian spouses and dating partners in Indian countries.

(e) Measures to strengthen housing protections for victims by applying existing housing protections to nine additional federal housing programs.

(f) Measures to promote accountability to ensure that federal funds are used for their intended purposes.

(g) Consolidation of programs and reductions in authorization levels to address fiscal concerns, and renewed focus on programs that have been most successful.

(h) Technical corrections to update definitions throughout the law to provide uniformity and continuity; and

Whereas, There is a need to maintain services for victims and families at the local, state, and federal levels. VAWA reauthorization would allow existing programs to continue uninterrupted, and would provide for the development of new initiatives to address key areas of concern. These initiatives include the following:

(a) Addressing the high rates of domestic violence, dating violence, and sexual assault among women 16 to 24 years of age, inclusive.

(b) Improving the response to sexual assault with best practices, training, and communication tools for law enforcement, as well as for health care and legal professionals.

(c) Preventing domestic violence homicides through enhanced training for law enforcement, advocates, and others who interact with those at risk: Now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature requests the President to sign and Congress to pass the Violence Against Women Reauthorization Act and ensure the sustainability of vital programs designed to keep women and families safe from violence and abuse; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, to each Senator and Representative from California in the Congress of the United States, and to the author for appropriate distribution.

POM-113. A resolution adopted by the Senate of the State of California recognizing the critical importance of continued access to safe and legal abortion; to the Committee on the Judiciary.

SENATE RESOLUTION NO. 10

Whereas, January 22, 2013, marks the 40th anniversary of the United States Supreme

Court's landmark decision in *Roe v. Wade*, which held that every woman has a fundamental right to control her own reproductive decisions and decide whether to end or continue a pregnancy, and is an occasion that deserves celebration; and

Whereas, The 1973 *Roe v. Wade* decision, making access to abortion safe and legal, has greatly improved the health of women and families; and

Whereas, *Roe v. Wade* has been the cornerstone of women's remarkable strides toward equality in the past four decades, and reproductive freedom is critical to a woman's ability to participate fully in the social, political, and economic life of the community; and

Whereas, California is committed to protecting public health and the welfare of all its residents, and recognizes that access to reproductive health services, including family planning and prenatal care, supports individuals and their families by ensuring that babies are planned, wanted, and healthy; and

Whereas, The public policy of California, as expressed in the Reproductive Privacy Act, and protected by the California Constitution's express right to privacy, is that each woman has the fundamental right to make decisions regarding her reproductive health; and

Whereas, California has a pioneering history in supporting reproductive rights, including the California Supreme Court's 1969 decision in *People v. Belous*, recognizing that a woman's decision to end a pregnancy is protected by her constitutional right to privacy, four years prior to the United States Supreme Court's decision in *Roe v. Wade*; and

Whereas, In a democracy, people may have differing views about abortion, but most Californians recognize that only a pregnant woman can know, and should be entitled to decide, what option is best for herself and her family; and

Whereas, Over 75 percent of Californians oppose efforts to overturn *Roe v. Wade*, which could create a public health crisis if individual states made abortion illegal and unsafe; and

Whereas, The 2012 elections sent a powerful and unmistakable message to Members of Congress and state legislatures that women do not want politics or politicians to interfere with their personal medical decisions; and

Whereas, Violence against abortion providers and laws that create barriers to abortion endanger a woman's health: Now, therefore, be it

Resolved by the Senate of the State of California, That on the 40th anniversary of *Roe v. Wade*, the senate of the State of California recognizes the critical importance of continued access to safe and legal abortion and urges the President of the United States and the Congress to protect and uphold the intent and substance of the 1973 United States Supreme Court decision in *Roe v. Wade*; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, to each Senator and Representative from California in the Congress of the United States, and to the author for appropriate distribution.

POM-114. A joint resolution adopted by the Legislature of the State of Maine honoring the victims of the Boston Marathon explosions; to the Committee on the Judiciary.

JOINT RESOLUTION

Whereas, on April 15, 2013, multiple explosions at the finish line of the 117th Boston Marathon, a horrific act of terrorism, killed

at least 3 people and injured more than 175 people; and

Whereas, law enforcement's unprecedented response and willingness to put their lives on the line to protect the innocent and bring those responsible to justice is an inspiration to us all; and

Whereas, many of the victims of this tragedy, who are both United States citizens and international visitors, are friends and family members of athletes and spectators celebrating community, sport and the intense effort and sacrifice required to qualify for the Boston Marathon; and

Whereas, many Americans and people of the world watched with horror as the tragedy occurred and the day progressed; and

Whereas, heroic emergency medical technicians, police officers, firefighters, members of the National Guard and other first responders, as well as many marathon participants, volunteers and spectators, saved lives while putting themselves at risk; and

Whereas, Maine and Massachusetts have a special historical, economic and cultural relationship, extending back before our Nation's founding, including our mutual celebration of Patriot's Day as a state holiday, and scores of Maine people run in the Boston Marathon every year: Now, therefore, be it

Resolved, That We, the Members of the One Hundred and Twenty-sixth Legislature now assembled in the First Regular Session, on behalf of the people we represent, join the people of Maine, the City of Boston, the Commonwealth of Massachusetts and the rest of the United States in collective sorrow and anguish; and be it further

Resolved, That We, the Members of the One Hundred and Twenty-sixth Legislature, stand united with the people of Maine, the City of Boston, the Commonwealth of Massachusetts and the rest of the United States against violence perpetrated against innocents; and be it further

Resolved, That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Barack H. Obama, President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, to the governors of the State of Maine and Commonwealth of Massachusetts, the President of the Massachusetts Senate, the Speaker of the Massachusetts House of Representatives and the Mayor of the City of Boston.

POM-115. A joint resolution adopted by the Legislature of the State of Utah recommending a name for a new federal courthouse; to the Committee on the Judiciary.

HOUSE JOINT RESOLUTION NO. 9

Whereas, a new federal courthouse is currently being constructed at 351 South West Temple in Salt Lake City;

Whereas, if this new structure is to bear the name of an exemplary Utahn, it should be named after Justice George Sutherland, the only Utahn to serve on the United States Supreme Court;

Whereas, to date, Justice Sutherland is Utah's most accomplished attorney, public servant, and judge;

Whereas, before joining the United States Supreme Court, Sutherland was a renowned legal scholar and sage politician, having served in the Utah State Senate, the United States House of Representatives, and the United States Senate;

Whereas, no past or present Utahn has done more for his state or country, or accomplished more as a lawyer;

Whereas, Sutherland was born in England in 1862 to converts to the Church of Jesus Christ of Latter-day Saints (LDS);

Whereas, Sutherland's family immigrated to Utah as part of an oxcart company in October 1863;

Whereas, the Sutherland family first settled in Springville, Utah, and then moved to Tintic, Utah, where George Sutherland, Sr. sold dry goods to miners;

Whereas, George Sutherland, Sr. left the LDS Church in 1870, and young George was never baptized;

Whereas, Sutherland recalled his boyhood as a "period when life was very simple, but, as I can bear testimony, very hard as measured by present day standards. . . . Nobody worried about child labor, the average boy of 10 worked—and often worked very hard";

Whereas, Sutherland grew up in a time when everybody was poor and everybody worked;

Whereas, neither the 8-hour day nor the 40-hour week had arrived, so work began when it was light enough to see and ended when it became too dark;

Whereas, Sutherland worked first in a clothing store in Salt Lake City, then as a Wells Fargo agent and later as a mining recording agent until age 17, when his family moved to Provo;

Whereas, Sutherland had no schooling from ages 12 to 17, but because he was taught well by his parents, he entered the Brigham Young Academy in 1879 as an excellent student and writer;

Whereas, at Brigham Young Academy, he flourished under the tutelage of renowned headmaster Karl Maeser, who nurtured the institution for decades;

Whereas, at Brigham Young Academy, George Sutherland made many lifelong friends, nearly all members of the LDS Church, including Sam Thurman, who later became his law partner, cofounder of the predecessor firm to Snow, Christensen & Martineau, and a Utah Supreme Court Chief Justice; William H. King, his future law partner and political opponent against whom he ran for Congress in 1900 and the United States Senate in 1916; and James E. Talmage and Richard Lyman, future Apostles of the LDS Church;

Whereas, at Brigham Young Academy, he met Rosamond Lee of Beaver, Utah, and several years later they married;

Whereas, George and Rosamond Sutherland were together for nearly 60 years and had three children, a boy who died at 17 and two daughters who survived him;

Whereas, Sutherland graduated from Brigham Young Academy in 1881 and attended the University of Michigan Law School for a year, passed the Michigan Bar, and then married Rosamond and moved to Provo, where he started a practice with his father, by then a self-taught lawyer;

Whereas, Sutherland once stated, "I transacted all kinds of business, both civil and criminal. A lawyer in a small town can't pick and choose—public opinion demands that he shall treat all men alike when they call for his services. I often traveled on horseback in the mountains to try cases before Justices of the Peace";

Whereas, Sutherland earned a well-deserved reputation as a hardworking and honest family man who was smart, empathetic, and kind;

Whereas, in 1886, at age 24, his law partnership with Sam Thurman began, and they were joined by William King two years later;

Whereas, as young lawyers, Sutherland and Thurman defended nine Irish miners accused of lynching, a capital offense; all were tried and convicted but none was executed—a victory for Sutherland and Thurman;

Whereas, Sutherland also represented many members of the LDS Church charged with violating the Federal Edmund's Act outlawing polygamy;

Whereas, through these cases and his general character, he earned respect within the LDS community and at the same time re-

ceived the political support of the non-LDS community;

Whereas, Sutherland did not represent Karl Maeser when he was convicted in 1887 of violating the Edmund's Act, but he nonetheless appeared at Maeser's sentencing and made an impassioned and successful plea to the Court not to jail Maeser, citing his many accomplishments at Brigham Young Academy;

Whereas, the Court did not sentence Maeser to jail, but fined him \$300, which Sutherland immediately paid to the Court;

Whereas, as a young lawyer, Sutherland dove into public service and politics;

Whereas, from 1886 to 1890, Sutherland was an Overseer of the State Hospital in Provo, and in 1890 he ran for Mayor of Provo as a Liberal Party candidate on an antipolygamy platform, and lost;

Whereas, LDS-Church sanctioned polygamy ended in late 1890, gutting the Liberal Party of its purpose, so Sutherland became a Republican and narrowly lost the 1892 Republican nomination for Congress;

Whereas, Sutherland was gratified that Utah's new Constitution provided for women's suffrage, a cause for which he campaigned throughout his political career;

Whereas, Sutherland's legal practice blossomed, and in 1894 he left Thurman & Sutherland and moved to Salt Lake City where he joined the predecessor to the Van Cott law firm;

Whereas, Sutherland helped form the Utah Bar Association in 1895, and in 1896 was elected to the first Utah State Senate, where he chaired the Judiciary Committee, which drafted the first Utah Judicial and Penal Codes;

Whereas, Sutherland proposed the state's first State Workers' Compensation Statute and laws granting eminent domain to miners and those working in irrigation;

Whereas, in 1900, Sutherland narrowly defeated Democrat and former law partner William H. King for Utah's lone seat in the United States House of Representatives;

Whereas, Sutherland remained very active in state and national Republican Party affairs, serving as a party delegate from Utah to every Republican convention between 1900 and 1916;

Whereas, in his only House term, Sutherland was instrumental in passing the Reclamation Act, which allowed Western water projects to be engineered and financed with federal money, allowing the Western States to grow much faster than if water projects had been left to private and state financing;

Whereas, Sutherland chose not to run for a second term and resumed his practice with Van Cott;

Whereas, in 1905, United States Senators were elected by State Legislatures;

Whereas, years earlier, Sutherland had represented United States Senator Reed Smoot's father in a polygamy case and now, with the endorsement of his friend and Senator, Sutherland prevailed in an interparty fight with incumbent Thomas Kearns;

Whereas, Sutherland's two-term Senate career was stellar;

Whereas, through his legal ability, affability, and hard work, Sutherland accomplished much regarding women's suffrage, workers' compensation, reclamation, Indian affairs, and foreign policy;

Whereas, Sutherland was the driving force behind the Federal Employer Liability Act, which created a workers' compensation system;

Whereas, in support of the new system, Sutherland argued, "When we are able to get to the truth as to how these accidents happen we will be able to apply the remedy with greater certainty, so that the law is not only just in providing compensation to all injured

employees, one of the legitimate expenses of the industry, but what is perhaps still more important, it will tend to greatly reduce the number of accidents and consequently the aggregate of human suffering”;

Whereas, Sutherland championed many other labor causes, earning him the praise of Samuel Gompers, President of the American Federation of Labor;

Whereas, Sutherland's Judiciary Committee rewrote the United States Criminal and Judicial codes, “a monumental task” according to Chief Justice Charles Evans Hughes of the United States Supreme Court;

Whereas, in 1907, Sutherland's courtroom skills were well displayed in the Senate where he mounted a detailed and successful defense of Senator Reed Smoot when the Senate considered expelling Smoot due to his religious and alleged polygamous practices;

Whereas, Sutherland sponsored the Nineteenth Amendment to give women the right to vote in 1915 and exerted every effort to assure its passage;

Whereas, Sutherland gave several well received speeches promoting the amendment, including a 1914 speech in which he stated, “I give my assent to woman suffrage because, as the matter appeals to me, there is no justification for denying to half our citizens the right to participate in the operations of a government which is as much their government as it is ours upon the sole ground that they happen to be born women instead of men”;

Whereas, Sutherland was not a pacifist, and contended that security should be won through vigilance and strength;

Whereas, when Germany's new submarine fleet attacked shipping in the open sea, President Wilson's apparent vacillation in 1915 gave rise to sham criticism from Sutherland in the Senate, where he stated, “. . . my own view of the matter is that the new weapon [the submarine] must yield to the law not that the law must yield to the new weapon. . . . I for one am becoming sick and tired of the spineless policy of retreat and scuttle. . . . Instead of warning our own people to exercise their rights at their peril I would like to see issued to other people a warning to interfere with these rights at their peril. The danger of it all is that by this policy of always backing down, instead of backing up, we shall encourage an increased encroachment upon our rights until we shall finally be driven into crises from which nothing but war can extricate us”;

Whereas, during his Senate years, Sutherland was frequently engaged as a speaker on many public issues and he gained a strong reputation as a constitutional scholar;

Whereas, this reputation was enhanced by the fact that he argued three cases before the United States Supreme Court while serving in the Senate;

Whereas, in 1915, Sutherland supported the Seventeenth Amendment, which provided for popular election of United States Senators;

Whereas, in 1916, Sutherland ran for a third term against his old law partner and friend, William King, and lost;

Whereas, although Sutherland had not run a statewide campaign for 16 years, his loss was likely due to the coattail effect of the antiwar fervor that propelled President Wilson to a second term, on the mantra that “He kept us out of war”;

Whereas, many Republican candidates were badly defeated in 1916, but in his consoling words to William Howard Taft on his loss of the presidential race, Sutherland stated, “We are to pass through a period of readjustment, and the present administration, in view of its past history, is not likely to deal with the serious problems which will arise in such a way as to satisfy the country.

The result will be, therefore, that we shall come back into power for a long time”;

Whereas, the Republicans won the next three presidential elections;

Whereas, after leaving the Senate, Sutherland practiced law in Washington, D.C. and argued four cases before the United States Supreme Court;

Whereas, in 1917, Sutherland was elected President of the American Bar Association and gave a series of six lectures at Columbia University Law School on the Constitution and foreign affairs;

Whereas, always a keen political strategist, Sutherland supported Warren G. Harding's seemingly unlikely but successful bid for the Republican presidential nomination, and after Harding was elected he appointed Sutherland as lead counsel for the United States in a seven week trial at The Hague;

Whereas, Sutherland was also counsel to the United States Delegation to the Armament talks of 1921;

Whereas, on September 5, 1922, President Harding nominated Sutherland for an open seat on the United States Supreme Court and the Senate unanimously confirmed him the same day;

Whereas, there was great public interest in and support for Sutherland's appointment because he was the first Utahn to be appointed, one of the few Senators to ascend to the bench, only the fourth foreign born Justice to serve on the Court, and the first to do so since 1793;

Whereas, as he had throughout every aspect of his life, Justice Sutherland worked very hard on the United States Supreme Court;

Whereas, in 15 years he wrote 295 majority opinions, 35 dissents, and 1 concurrence—an average of 20 majority opinions per year, which is double the average production of today's Supreme Court Justices;

Whereas, Justice Sutherland's broad life experiences, sobriety, hard work, and self-reliance brought a valuable perspective to the Court;

Whereas, Justice Sutherland's impoverished upbringing and boyhood years filled with extremely hard work, combined with his intellect and ambition, propelled him into the highest echelon of power on the state and national levels, exposing him to people from all walks of life;

Whereas, Justice Sutherland's extensive experience in the state and national legislative branches gave him a solid foundation as a constitutional scholar and an expert in governmental affairs;

Whereas, having seen temporary factions spring to life from time to time, claiming to have all the answers to society's challenges only to fade away and leave in their wake ill-considered legislation that often infringed on individual rights or violated other constitutional principles, Justice Sutherland was wary of the tyranny of the majority;

Whereas, Justice Sutherland challenged the Congress, the President, and other courts in order to protect individual rights or fundamental constitutional doctrines;

Whereas, in 1935, in *Berger v. United States*, wherein an Assistant U.S. Attorney was guilty of gross misconduct during a criminal trial, Justice Sutherland eloquently set the standard for prosecutorial misconduct when he wrote that the misconduct called for a stern rebuke and repressive measures, stating, “The United States Attorney is the representative not of an ordinary party to a controversy, but of a sovereignty whose obligation to govern impartially is as compelling as its obligation to govern at all; and whose interest, therefore, in a criminal prosecution is not that it shall win a case, but that justice shall be done. As such, he is in peculiar and very definite sense

the servant of the law, the twofold name of which is that guilt shall not escape, or innocents suffer. He may prosecute with earnestness and vigor, indeed he should do so. But, while he may strike hard blows, he is not at liberty to strike foul ones. It is as much his duty to refrain from improper methods calculated to produce a wrongful conviction as it is to use every legitimate means to bring about a just one”;

Whereas, this decision better clarified the prosecutor's role and obligations and gave trial judges a clear directive and authority to punish prosecutorial misconduct;

Whereas, when Franklin D. Roosevelt overwhelmingly defeated President Hoover in 1932, the Congress quickly passed many acts to address the economic calamity, but the laws were not thoroughly assessed from a constitutional point of view before they were passed;

Whereas, this led to scores of court challenges, and many laws were struck down by unanimous vote in 1934, 1935, and 1936, while others were struck down by close votes on various constitutional grounds;

Whereas, the most controversial opinions that Justice Sutherland wrote struck down portions of President Franklin Delano Roosevelt's New Deal legislation;

Whereas, after his landslide 1936 reelection, Roosevelt proposed adding six Justices to the United States Supreme Court, which Justice Sutherland saw as a roadblock to economic recovery;

Whereas, the political upheaval that the court-packing plan sparked caused conservative Justice Owen Roberts to change his votes and to uphold the New Deal legislation;

Whereas, this switch of a vote and strong public opposition to court-packing led to its defeat in the Senate and avoided a constitutional, and perhaps a national, crisis;

Whereas, Justice Sutherland was bitterly disappointed with Justice Roberts's vote change, and when the Supreme Court then reversed recent Supreme Court decisions, Sutherland dissented sharply, contending that political expediency had trumped constitutional principles;

Whereas, much to the disappointment of moderates and conservatives, Justice Sutherland retired in 1938;

Whereas, humble to the end, Sutherland did not mention the Supreme Court or his career in his last public address, the Convocation of the BYU Class of 1941, but instead reminisced about Utah in the 1860s and 70s, his daylong labors as a child, and his education at his beloved Brigham Young Academy;

Whereas, above all he implored graduates to be vigilant caretakers of their character, then to focus on career, family, and church;

Whereas, George Sutherland passed away in 1942;

Whereas, this nation's heritage and good sense teach us to honor distinguished and exemplary forefathers; and

Whereas, other public servants may deserve the recognition of having their names on the new federal courthouse, but none deserves it more than George Sutherland: Now, therefore, be it

Resolved, That the Legislature of the state of Utah urge the members of Utah's congressional delegation to work to have the new federal courthouse in Salt Lake City named after Justice George Sutherland; and be it further

Resolved, That the Legislature urge the members of Utah's congressional delegation to make this effort in recognition of Justice Sutherland's lifetime of service to the citizens of the state of Utah as a member of the Utah Senate and to the United States as a member of the United States House of Representatives, a member of the United States

Senate, and the only Utahn to serve on the United States Supreme Court, and whose example of humility and integrity in public service is unsurpassed; and be it further

Resolved, That a copy of this resolution be sent to the members of Utah's congressional delegation.

POM-116. A concurrent resolution adopted by the Legislature of the State of Utah supporting the Financial Ready Utah enterprise risk management process; to the Committee on the Judiciary.

SENATE CONCURRENT RESOLUTION

Whereas, the Legislature of the state of Utah declares that the nation's fiscal recklessness poses a great, clear, and present threat to America's future;

Whereas, David Walker, former Comptroller General of the United States warns, "The most serious threat to the United States is not someone hiding in a cave in Afghanistan or Pakistan, but our own fiscal irresponsibility";

Whereas, the federal government is now in its fourth year of not passing a budget;

Whereas, the national debt has now surpassed \$16.4 trillion, more than \$136,000 per household;

Whereas, annual deficits have exceeded \$1 trillion for each of the last four years, and unfunded obligations for social programs now exceed \$85 trillion, with no apparent Congressional resolution on the horizon;

Whereas, it took 200 years for the United States to accumulate the first trillion dollars in debt and only 286 days to accumulate the most recent trillion;

Whereas, \$85 billion per month of the national debt and annual deficits are now offset through Federal Reserve operations such as "quantitative easing" and "operation twist";

Whereas, more than 40 cents of every dollar the state of Utah spends comes from the federal government that borrows and prints more than 40 cents of every dollar it sends to Utah;

Whereas, last New Year's Eve, the United States Congress merely delayed until March 1, 2013, the implementation of the automatic cuts or "sequestration" of 8-9% of federal discretionary spending, including funds to state and local governments, and 10% of military spending under the Budget Control Act of 2011;

Whereas, in its recently released audit of the federal government's financial statements, the Government Accountability Office declared, "Over the long term, the structural imbalance between spending and revenue will lead to continued growth of debt held by the public as a share of GDP [Gross Domestic Product]; this means the current structure of the federal budget is unsustainable";

Whereas, this fiscal scenario is by all accounts unsustainable for the nation as well as for our state;

Whereas, in May 2012, the American Institute of Certified Public Accountants, in its review of the federal government's most recent annual financial statements, warned, "The U.S. is not exempt from the laws of prudent finance. We must take steps to put our financial house in order. The credit rating agencies have recently issued renewed warnings of U.S. credit downgrades unless substantive reforms are made. Our current fiscal policy results in mortgaging our nation's future without investing in it, leaving our children, grandchildren and future generations to suffer the consequences. This is irresponsible, unethical and immoral";

Whereas, restoring fiscal sanity and sustainability is at the heart of jumpstarting economic growth and fostering a business

climate where companies can grow and begin to hire; and

Whereas, absent credible actions to address this fiscal irresponsibility, uncertainty will continue to dominate business decision making and economic recovery will languish: Now, therefore, be it

Resolved, That the Legislature of the state of Utah, the Governor concurring therein, wholeheartedly supports the Financial Ready Utah initiative of fostering within the state of Utah an enterprise risk management process to assess the immediacy, severity, and probability of risks from any reductions of federal funds to the state of Utah and how the state will marshal its resources, both human and capital, to prioritize and provide the most essential government services; and be it further

Resolved, That the Legislature and the Governor strongly urge local, state, and national representatives to take immediate and sustained action to eliminate deficit spending and secure economic self-reliance to the state of Utah and to the United States;

Resolved, That the Legislature and the Governor strongly urge the President of the United States and the United States Congress to pass a budget each year and adopt a credible and sustainable plan to balance those budgets;

Resolved, That the Legislature and the Governor strongly urge Utah's towns, cities, and counties to adopt and implement comprehensive financial risk management measures as soon as possible;

Resolved, That copies of this resolution be sent to the Attorney General of the United States, the President of the United States, the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, the Utah Association of Counties, the Utah League of Cities and Towns, Financial Ready Utah, the Utah State Chamber of Commerce, the Utah Board of Regents, the Utah State Board of Education, and the members of Utah's congressional delegation.

POM-117. A joint resolution adopted by the Legislature of the State of Utah rejecting United Nations Agenda 21 and urging state and local governments across the United States to reject it; to the Committee on the Judiciary.

SENATE JOINT RESOLUTION NO. 11

Whereas, the United Nations Agenda 21 was initiated at the United Nations Conference on Environment and Development in Rio de Janeiro, Brazil, in 1992;

Whereas, the United Nations Agenda 21 is being introduced into local communities across the United States through the International Council of Local Environmental Initiatives, through local "sustainable development" policies including Smart Growth America, the Wildlands Project, and Center for Resilient Cities;

Whereas, the United Nations has accredited and enlisted numerous nongovernmental and intergovernmental organizations to assist in the implementation of its policies relative to Agenda 21 around the world;

Whereas, the United Nations Agenda 21 plan of sustainable development views private property ownership, single family homes, private car ownership, individual travel choices, and privately owned farms as destructive to the environment;

Whereas, according to the United Nations Agenda 21 policy, social justice is described as the right and opportunity of all people to benefit equally from the resources afforded citizens by society and the environment, which would be accomplished by redistribution of wealth;

Whereas, according to United Nations Agenda 21 policy, national sovereignty is deemed a social injustice;

Whereas, Utah has a tradition of locally driven community planning efforts dating back to the first settlers who laid out a community plat that formed the basis for most of the cities in Utah;

Whereas, Utah regional planning efforts have focused on citizen participation, local decision making, transparent processes, sound technical data, response to market demand, and respect for due process and private property;

Whereas, Utah's Associations of Governments and Councils of Governments are created and controlled by Utah counties, cities, and towns, predate the adoption of Agenda 21 by more than 20 years, and provide a forum for these local governments to cooperate on issues of regional significance; and

Whereas, cooperative decision making that is locally driven and controlled provides great benefits in terms of cost and service delivery and continues to serve the state of Utah well: Now, therefore, be it

Resolved, That the Legislature of the state of Utah rejects United Nations Agenda 21, both its intent and its potential for abuse; and be it further

Resolved, That the Legislature urges Utah's state agencies and political subdivisions to not adopt or implement policy recommendations that deliberately or inadvertently infringe or restrict private property rights without due process, as may be required by policy recommendations originating in or traceable to Agenda 21, adopted by the United Nations in 1992 at its Conference on Environment and Development, or any other international law or ancillary plan of action that contravenes the Constitution of the United States or the Constitution of the state of Utah;

Be it Further Resolved, That the Legislature urges Utah's state agencies and political subdivisions to not adopt or develop environmental and developmental policies that, without due process, would infringe or restrict the private property rights of property owners;

Be it Further Resolved, That the Legislature urges state and local governments across the United States to be well informed regarding the underlying harmful implications of implementing United Nations Agenda 21's strategies for "sustainable development.";

Be it Further Resolved, That the Legislature urges state and local governments across the United States to not enter into any agreement, expend any sum of money, contract services, or give financial aid to those nongovernmental and intergovernmental organizations affiliated with United Nations Agenda 21;

Be it Further Resolved, That the Legislature urges state and local governments across the United States to reject United Nations Agenda 21 and any grant money or financial aid attached to it;

Be it Further Resolved, That the Legislature of the state of Utah supports the locally directed regional planning efforts that are occurring in Utah and encourages other states to look to the Utah model of collaboration that protects local sovereignty and private property rights;

Be it Further Resolved, That a copy of this resolution be sent to the Council of State Governments, the National Conference of State Legislatures, the National Association of Counties, the United Nations General Assembly, the Wildlands Project, Smart Growth America, Center for Resilient Cities, the International Council of Local Environmental Initiatives, the Utah Association of Counties, the Utah League of Cities and Towns, the Majority Leader of the United

States Senate, the Speaker of the United States House of Representatives, and the members of Utah's congressional delegation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. LANDRIEU, from the Committee on Small Business and Entrepreneurship, with an amendment:

S. 415. A bill to clarify the collateral requirement for certain loans under section 7(d) of the Small Business Act, to address assistance to out-of-State small business concerns, and for other purposes (Rept. No. 113-84).

By Mr. CARPER, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 1171. A bill to amend title 40, United States Code, to improve veterans service organizations access to Federal surplus personal property.

S. 233. A bill to designate the facility of the United States Postal Service located at 815 County Road 23 in Tyrone, New York, as the "Specialist Christopher Scott Post Office Building".

S. 668. A bill to designate the facility of the United States Postal Service located at 14 Main Street in Brockport, New York, as the "Staff Sergeant Nicholas J. Reid Post Office Building".

S. 796. A bill to designate the facility of the United States Postal Service located at 302 East Green Street in Champaign, Illinois, as the "James R. Burgess Jr. Post Office Building".

S. 885. A bill to designate the facility of the United States Postal Service located at 35 Park Street in Danville, Vermont, as the "Thaddeus Stevens Post Office".

S. 1093. A bill to designate the facility of the United States Postal Service located at 130 Caldwell Drive in Hazlehurst, Mississippi, as the "First Lieutenant Alvin Chester Cockrell, Jr. Post Office Building".

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. HARKIN from the Committee on Health, Education, Labor, and Pensions.

*Robert F. Cohen, Jr., of West Virginia, to be a Member of the Federal Mine Safety and Health Review Commission for a term of six years expiring August 30, 2018.

*William Ira Althen, of Virginia, to be a Member of the Federal Mine Safety and Health Review Commission for a term of six years expiring August 30, 2018.

*Catherine Elizabeth Lhamon, of California, to be Assistant Secretary for Civil Rights, Department of Education.

*Harry R. Hoglander, of Massachusetts, to be a Member of the National Mediation Board for a term expiring July 1, 2014.

*Linda A. Puchala, of Maryland, to be a Member of the National Mediation Board for a term expiring July 1, 2015.

*Nicholas Christopher Geale, of Virginia, to be a Member of the National Mediation Board for a term expiring July 1, 2016.

By Mr. CARPER from the Committee on Homeland Security and Governmental Affairs.

*Katherine Archuleta, of Colorado, to be Director of the Office of Personnel Management for a term of four years.

*John H. Thompson, of the District of Columbia, to be Director of the Census for the remainder of the term expiring December 31, 2016.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HOEVEN (for himself, Ms. MURKOWSKI, Mr. BOOZMAN, Mr. COCHRAN, Mr. VITTER, Mr. CRAPO, Mr. BLUNT, Mr. MANCHIN, Mr. WICKER, Mr. ROBERTS, and Mr. CHAMBLISS):

S. 1401. A bill to provide for the development of a plan to increase oil and gas exploration, development, and production under oil and gas leases of Federal land, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BOOZMAN:

S. 1402. A bill to repeal the Federal estate and gift taxes; to the Committee on Finance.

By Mr. PRYOR (for himself and Ms. AYOTTE):

S. 1403. A bill to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to facilitate the screening of severely injured or disabled members of the Armed Forces and severely injured or disabled veterans at airports, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. COBURN (for himself, Mr. PAUL, Ms. AYOTTE, Mr. BARRASSO, Mr. BLUNT, Mr. BOOZMAN, Mr. BURR, Mr. CHAMBLISS, Mr. COATS, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. CRUZ, Mr. ENZI, Mrs. FISCHER, Mr. FLAKE, Mr. GRAHAM, Mr. GRASSLEY, Mr. HATCH, Mr. HELLER, Mr. INHOFE, Mr. ISAKSON, Mr. JOHNSON of Wisconsin, Mr. LEE, Mr. MCCAIN, Mr. MCCONNELL, Mr. MORAN, Mr. RISCH, Mr. ROBERTS, Mr. RUBIO, Mr. SCOTT, Mr. SESSIONS, Mr. THUNE, Mr. TOOMEY, Mr. VITTER, and Mr. WICKER):

S. 1404. A bill to prohibit the consideration of any bill by Congress unless the authority provided by the Constitution of the United States for the legislation can be determined and is clearly specified; to the Committee on Rules and Administration.

By Mr. SCHUMER (for himself, Mr. ROBERTS, Mr. LEAHY, and Ms. LANDRIEU):

S. 1405. A bill to amend title XVIII of the Social Security Act to provide for an extension of certain ambulance add-on payments under the Medicare program; to the Committee on Finance.

By Ms. AYOTTE (for herself and Mr. WARNER):

S. 1406. A bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CASEY (for himself and Mr. RUBIO):

S. 1407. A bill to amend the Elementary and Secondary Education Act of 1965 to strengthen elementary and secondary computer science education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND:

S. 1408. A bill to address the dramatic increase of HIV/AIDS in minority communities; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ:

S. 1409. A bill to amend the Internal Revenue Code of 1986 to provide a credit for employer-provided job training, and for other purposes; to the Committee on Finance.

By Mr. DURBIN (for himself, Mr. LEE, and Mr. LEAHY):

S. 1410. A bill to focus limited Federal resources on the most serious offenders; to the Committee on the Judiciary.

By Mr. FRANKEN (for himself and Mr. BOOZMAN):

S. 1411. A bill to specify requirements for the next update of the current strategic plan for the Office of Rural Health of the Department of Veterans Affairs for improving access to, and the quality of, health care services for veterans in rural areas; to the Committee on Veterans' Affairs.

By Mrs. HAGAN (for herself and Mr. GRAHAM):

S. 1412. A bill to provide the Department of Homeland Security, U.S. Customs and Border Protection, and the Department of the Treasury with authority to more aggressively enforce customs and trade laws relating to textile and apparel articles, and for other purposes; to the Committee on Finance.

By Mr. PRYOR (for himself, Mr. BLUNT, Mr. FRANKEN, Mr. MORAN, and Mr. COATS):

S. 1413. A bill to exempt from sequestration certain fees of the Food and Drug Administration; to the Committee on the Budget.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 1414. A bill to provide for the conveyance of certain Federal land in the State of Oregon to the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians; to the Committee on Energy and Natural Resources.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 1415. A bill to provide for the conveyance of certain Federal land in the State of Oregon to the Cow Creek Band of Umpqua Tribe of Indians; to the Committee on Energy and Natural Resources.

By Mr. ROCKEFELLER:

S. 1416. A bill to protect miners from pneumoconiosis (commonly known as black lung disease), and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. REED (for himself, Ms. MURKOWSKI, Mr. BEGICH, Mrs. HAGAN, Mr. REID, Mr. WHITEHOUSE, Mr. CHAMBLISS, Mr. COCHRAN, Mr. WICKER, Mr. BLUMENTHAL, Mr. TESTER, Mr. BAUCUS, Mr. MORAN, Mr. ISAKSON, Ms. COLLINS, Mr. BLUNT, Mr. BURR, Mr. CASEY, and Mrs. MURRAY):

S. Res. 207. A resolution designating August 16, 2013, as "National Airborne Day"; considered and agreed to.

By Mr. CARDIN (for himself, Ms. COLLINS, Ms. WARREN, Mr. GRASSLEY, Mr. BROWN, Mr. ROCKEFELLER, and Mr. MURPHY):

S. Res. 208. A resolution designating the week beginning September 8, 2013, as "National Direct Support Professionals Recognition Week"; considered and agreed to.

By Ms. BALDWIN (for herself, Mr. JOHNSON of Wisconsin, Mr. COONS, Mr. CORNYN, and Mrs. GILLIBRAND):

S. Res. 209. A resolution remembering the anniversary of the tragic shooting on August 5, 2012, at the Sikh Temple of Wisconsin in Oak Creek, Wisconsin; considered and agreed to.

By Mr. LEAHY (for himself, Mr. GRASSLEY, Mrs. FEINSTEIN, Mr. HATCH, Mr. DURBIN, Mr. CORNYN, Mr. WHITEHOUSE, Mr. BLUMENTHAL, and Ms. HIRONO):

S. Res. 210. A resolution recognizing and honoring Robert S. Mueller III, Director of the Federal Bureau of Investigation; considered and agreed to.

By Mr. RUBIO (for himself and Mr. NELSON):

S. Res. 211. A resolution designating September 2013 as "National Spinal Cord Injury Awareness Month"; considered and agreed to.

By Ms. LANDRIEU (for herself, Mr. HOEVEN, Mr. PRYOR, Mr. DONNELLY, Mr. BEGICH, Ms. HEITKAMP, Mr. THUNE, Mr. RISCH, Mr. CORNYN, Mr. JOHANNIS, and Mr. BARRASSO):

S. Con. Res. 21. A concurrent resolution expressing the sense of Congress that construction of the Keystone XL pipeline and the Federal approvals required for the construction of the Keystone XL pipeline are in the national interest of the United States; to the Committee on Energy and Natural Resources.

ADDITIONAL COSPONSORS

S. 116

At the request of Mr. REED, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 116, a bill to revise and extend provisions under the Garrett Lee Smith Memorial Act.

S. 153

At the request of Mr. BEGICH, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 153, a bill to amend section 520J of the Public Health Service Act to authorize grants for mental health first aid training programs.

S. 195

At the request of Mr. FRANKEN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 195, a bill to amend the Public Health Service Act to revise and extend projects relating to children and violence to provide access to school-based comprehensive mental health programs.

S. 203

At the request of Mr. PORTMAN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 203, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the Pro Football Hall of Fame.

S. 314

At the request of Mr. MENENDEZ, his name was added as a cosponsor of S. 314, a bill to amend the Public Health Service Act to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life.

S. 315

At the request of Ms. KLOBUCHAR, the name of the Senator from Missouri

(Mr. BLUNT) was added as a cosponsor of S. 315, a bill to reauthorize and extend the Paul D. Wellstone Muscular Dystrophy Community Assistance, Research, and Education Amendments of 2008.

S. 338

At the request of Mr. BAUCUS, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 338, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 351

At the request of Mr. CORNYN, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 351, a bill to repeal the provisions of the Patient Protection and Affordable Care Act of providing for the Independent Payment Advisory Board.

S. 381

At the request of Mr. BROWN, the names of the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Colorado (Mr. BENNET), the Senator from Hawaii (Ms. HIRONO) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 381, a bill to award a Congressional Gold Medal to the World War II members of the "Doolittle Tokyo Raiders", for outstanding heroism, valor, skill, and service to the United States in conducting the bombings of Tokyo.

S. 422

At the request of Mr. BLUMENTHAL, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 422, a bill to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 and title 38, United States Code, to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers and to expand access to such care and services, and for other purposes.

S. 489

At the request of Mr. JOHANNIS, his name was added as a cosponsor of S. 489, a bill to amend the Tariff Act of 1930 to increase and adjust for inflation the maximum value of articles that may be imported duty-free by one person on one day, and for other purposes.

S. 496

At the request of Mr. INHOFE, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 496, a bill to direct the Administrator of the Environmental Protection Agency to change the Spill Prevention, Control, and Countermeasure rule with respect to certain farms.

S. 562

At the request of Mr. WYDEN, the name of the Senator from New York (Mr. SCHUMER) was added as a cospon-

sor of S. 562, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes.

S. 573

At the request of Ms. COLLINS, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 573, a bill to amend title 40, United States Code, to improve veterans service organizations access to Federal surplus personal property.

S. 647

At the request of Mr. NELSON, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 647, a bill to modify the prohibition on recognition by United States courts of certain rights relating to certain marks, trade names, or commercial names.

S. 692

At the request of Mr. RUBIO, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 692, a bill to rescind certain Federal funds identified by States as unwanted and use the funds to reduce the Federal debt.

S. 709

At the request of Ms. STABENOW, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 709, a bill to amend title XVIII of the Social Security Act to increase diagnosis of Alzheimer's disease and related dementias, leading to better care and outcomes for Americans living with Alzheimer's disease and related dementias.

S. 718

At the request of Mr. DURBIN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 718, a bill to create jobs in the United States by increasing United States exports to Africa by at least 200 percent in real dollar value within 10 years, and for other purposes.

S. 809

At the request of Mrs. BOXER, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 809, a bill to amend the Federal Food, Drug, and Cosmetic Act to require that genetically engineered food and foods that contain genetically engineered ingredients be labeled accordingly.

S. 862

At the request of Ms. AYOTTE, the names of the Senator from Wisconsin (Ms. BALDWIN), the Senator from Georgia (Mr. ISAKSON) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of S. 862, a bill to amend section 5000A of the Internal Revenue Code of 1986 to provide an additional religious exemption from the individual health coverage mandate.

S. 896

At the request of Mr. BEGICH, the name of the Senator from Vermont

(Mr. LEAHY) was added as a cosponsor of S. 896, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 915

At the request of Mr. WYDEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 915, a bill to amend the Higher Education Act of 1965 to update reporting requirements for institutions of higher education and provide for more accurate and complete data on student retention, graduation, and earnings outcomes at all levels of postsecondary enrollment.

S. 942

At the request of Mr. CASEY, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 942, a bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition.

S. 968

At the request of Mr. UDALL of Colorado, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 968, a bill to amend the Federal Credit Union Act, to advance the ability of credit unions to promote small business growth and economic development opportunities, and for other purposes.

S. 1012

At the request of Mr. BLUNT, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1012, a bill to amend title XVIII of the Social Security Act to improve operations of recovery auditors under the Medicare integrity program, to increase transparency and accuracy in audits conducted by contractors, and for other purposes.

S. 1118

At the request of Mr. WYDEN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1118, a bill to amend part E of title IV of the Social Security Act to better enable State child welfare agencies to prevent sex trafficking of children and serve the needs of children who are victims of sex trafficking, and for other purposes.

S. 1123

At the request of Mr. CARPER, the names of the Senator from Florida (Mr. NELSON) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 1123, a bill to amend titles XVIII and XIX of the Social Security Act to curb waste, fraud, and abuse in the Medicare and Medicaid programs.

S. 1135

At the request of Mr. CASEY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1135, a bill to amend the Safe

Drinking Water Act to repeal a certain exemption for hydraulic fracturing, and for other purposes.

S. 1137

At the request of Mr. WYDEN, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 1137, a bill to amend title XVIII of the Social Security Act to modernize payments for ambulatory surgical centers under the Medicare program, and for other purposes.

S. 1155

At the request of Mr. TESTER, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1155, a bill to provide for advance appropriations for certain information technology accounts of the Department of Veterans Affairs, to include mental health professionals in training programs of the Department, and for other purposes.

S. 1181

At the request of Mr. MENENDEZ, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 1181, a bill to amend the Internal Revenue Code of 1986 to exempt certain stock of real estate investment trusts from the tax on foreign investments in United States real property interests, and for other purposes.

S. 1204

At the request of Mr. COBURN, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 1204, a bill to amend the Patient Protection and Affordable Care Act to protect rights of conscience with regard to requirements for coverage of specific items and services, to amend the Public Health Service Act to prohibit certain abortion-related discrimination in governmental activities, and for other purposes.

S. 1217

At the request of Mr. CORKER, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 1217, a bill to provide secondary mortgage market reform, and for other purposes.

S. 1235

At the request of Mr. TOOMEY, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1235, a bill to restrict any State or local jurisdiction from imposing a new discriminatory tax on cell phone services, providers, or property.

S. 1250

At the request of Mr. WYDEN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1250, a bill to provide \$50,000,000,000 in new transportation infrastructure funding through bonding to empower States and local governments to complete significant infrastructure projects across all modes of transportation, including roads, bridges, rail and transit systems, ports, and inland waterways, and for other purposes.

S. 1251

At the request of Mr. REED, the names of the Senator from New York

(Mr. SCHUMER) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 1251, a bill to establish programs with respect to childhood, adolescent, and young adult cancer.

S. 1276

At the request of Mr. TESTER, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 1276, a bill to increase oversight of the Revolving Fund of the Office of Personnel Management, strengthen the authority to terminate or debar employees and contractors involved in misconduct affecting the integrity of security clearance background investigations, enhance transparency regarding the criteria utilized by Federal departments and agencies to determine when a security clearance is required, and for other purposes.

S. 1277

At the request of Mrs. BOXER, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1277, a bill to establish a commission for the purpose of coordinating efforts to reduce prescription drug abuse, and for other purposes.

S. 1302

At the request of Mr. HARKIN, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1302, a bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to provide for cooperative and small employer charity pension plans.

S. 1310

At the request of Mr. PORTMAN, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1310, a bill to require Senate confirmation of Inspector General of the Bureau of Consumer Financial Protection, and for other purposes.

S. 1323

At the request of Mrs. FEINSTEIN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1323, a bill to address the continued threat posed by dangerous synthetic drugs by amending the Controlled Substances Act relating to controlled substance analogues.

S. 1324

At the request of Mr. BARRASSO, the names of the Senator from Idaho (Mr. RISCH), the Senator from Mississippi (Mr. WICKER) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 1324, a bill to prohibit any regulations promulgated pursuant to a presidential memorandum relating to power sector carbon pollution standards from taking effect.

S. 1332

At the request of Ms. COLLINS, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1332, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 1335

At the request of Ms. MURKOWSKI, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 1335, a bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

S. 1360

At the request of Mr. CARPER, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 1360, a bill to amend the Improper Payments Elimination and Recovery Improvement Act of 2012, including making changes to the Do Not Pay initiative, for improved detection, prevention, and recovery of improper payments to deceased individuals, and for other purposes.

S. 1386

At the request of Mr. MENENDEZ, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1386, a bill to provide for enhanced embassy security, and for other purposes.

S. 1392

At the request of Mrs. SHAHEEN, the names of the Senator from Delaware (Mr. COONS), the Senator from Maine (Ms. COLLINS), the Senator from Virginia (Mr. WARNER) and the Senator from New Hampshire (Ms. AYOTTE) were added as cosponsors of S. 1392, a bill to promote energy savings in residential buildings and industry, and for other purposes.

AMENDMENT NO. 1823

At the request of Mr. JOHNSON of Wisconsin, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of amendment No. 1823 intended to be proposed to S. 1243, an original bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BOOZMAN:

S. 1402. A bill to repeal the Federal estate and gift taxes; to the Committee on Finance.

Mr. President, part of the American Dream is to build an inheritance that will benefit our future generations. The death tax works against that idea by making planning and passing on family farms and businesses to the next generation even more difficult. Often times the cost is too much to absorb and families end up spending their hard-earned money on attorney fees, selling their land or business and its assets, or laying off workers just to pay Uncle Sam. We need to eliminate policies like the death tax that create unnecessary burdens on our agriculture community and family businesses. The Death Tax Repeal Act would permanently eliminate the federal estate and

gift taxes that punish America's agriculture producers and small business owners. According to a study by Douglas Holtz-Eakin, a former director of the non-partisan Congressional Budget Office, repealing the death tax would create 1.5 million additional small business jobs and would decrease the national unemployment rate by nearly 1 percent.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1402

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Death Tax Repeal Act".

SEC. 2. REPEAL OF ESTATE AND GIFT TAXES.

(a) IN GENERAL.—Subtitle B of the Internal Revenue Code of 1986 (relating to estate, gift, and generation-skipping taxes) is hereby repealed.

(b) EFFECTIVE DATE.—The repeal made by subsection (a) shall apply to estates of decedents dying, gifts made, and generation-skipping transfers made after the date of the enactment of this Act.

By Mr. DURBIN (for himself, Mr. LEE, and Mr. LEAHY):

S. 1410. A bill to focus limited Federal resources on the most serious offenders; to the Committee on the Judiciary.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1410

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Smarter Sentencing Act of 2013".

SEC. 2. APPLICABILITY OF STATUTORY MINIMUMS.

Section 3553(f)(1) of title 18, United States Code, is amended by striking "defendant" and all that follows through "point" and inserting "criminal history category for the defendant is not higher than category 2".

SEC. 3. CLARIFICATION OF APPLICABILITY OF THE FAIR SENTENCING ACT.

(a) DEFINITION OF COVERED OFFENSE.—In this section, the term "covered offense" means a violation of a Federal criminal statute, the statutory penalties for which were modified by section 2 or 3 of the Fair Sentencing Act of 2010 (Public Law 111-220; 124 Stat. 2372), that was committed before August 3, 2010.

(b) DEFENDANTS PREVIOUSLY SENTENCED.—A court that imposed a sentence for a covered offense, may, on motion of the defendant, the Director of the Bureau of Prisons, the attorney for the Government, or the court, impose a reduced sentence as if sections 2 and 3 of the Fair Sentencing Act of 2010 (Public Law 111-220; 124 Stat. 2372) were in effect at the time the covered offense was committed.

(c) LIMITATIONS.—No court shall entertain a motion made under this section to reduce

a sentence if the sentence was previously imposed or previously reduced in accordance with the amendments made by sections 2 and 3 of the Fair Sentencing Act of 2010 (Public Law 111-220; 124 Stat. 2372) or if a motion made under this section to reduce the sentence was previously denied. Nothing in this section shall be construed to require a court to reduce any sentence pursuant to this section.

SEC. 4. SENTENCING MODIFICATIONS FOR CERTAIN DRUG OFFENSES.

(a) CONTROLLED SUBSTANCES ACT.—Section 401(b)(1) of the Controlled Substances Act (21 U.S.C. 841(b)(1)) is amended—

(1) in subparagraph (A), in the flush text following clause (viii)—

(A) by striking "10 years or more" and inserting "5 years or more"; and

(B) by striking "such person shall be sentenced to a term of imprisonment which may not be less than 20 years and" and inserting "such person shall be sentenced to a term of imprisonment which may not be less than 10 years and"; and

(2) in subparagraph (B), in the flush text following clause (viii)—

(A) by striking "5 years" and inserting "2 years"; and

(B) by striking "not be less than 10 years" and inserting "not be less than 5 years".

(b) CONTROLLED SUBSTANCES IMPORT AND EXPORT ACT.—Section 1010(b) of the Controlled Substances Import and Export Act (21 U.S.C. 960(b)) is amended—

(1) in paragraph (1), in the flush text following subparagraph (H)—

(A) by striking "not less than 10 years" and inserting "not less than 5 years"; and

(B) by striking "such person shall be sentenced to a term of imprisonment of not less than 20 years" and inserting "such person shall be sentenced to a term of imprisonment of not less than 10 years"; and

(2) in paragraph (2), in the flush text following subparagraph (H)—

(A) by striking "5 years" and inserting "2 years"; and

(B) by striking "10 years" and inserting "5 years".

SEC. 5. DIRECTIVE TO THE SENTENCING COMMISSION.

(a) DIRECTIVE TO SENTENCING COMMISSION.—Pursuant to its authority under section 994(p) of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission shall review and amend, if appropriate, its guidelines and its policy statements applicable to persons convicted of an offense under section 401 of the Controlled Substances Act (21 U.S.C. 841) or section 1010 of the Controlled Substances Import and Export Act (21 U.S.C. 960) to ensure that the guidelines and policy statements are consistent with the amendments made by sections 2 and 4 of this Act and reflect the intent of Congress that such penalties be decreased in accordance with the amendments made by section 4 of this Act.

(b) CONSIDERATIONS.—In carrying out this section, the United States Sentencing Commission shall consider—

(1) the mandate of the United States Sentencing Commission, under section 994(g) of title 28, United States Code, to formulate the sentencing guidelines in such a way as to "minimize the likelihood that the Federal prison population will exceed the capacity of the Federal prisons";

(2) the findings and conclusions of the United States Sentencing Commission in its October 2011 report to Congress entitled, Mandatory Minimum Penalties in the Federal Criminal Justice System;

(3) the fiscal implications of any amendments or revisions to the sentencing guidelines or policy statements made by the United States Sentencing Commission;

(4) the relevant public safety concerns involved in the considerations before the United States Sentencing Commission;

(5) the intent of Congress that penalties for violent and serious drug traffickers who present public safety risks remain appropriately severe; and

(6) the need to reduce and prevent racial disparities in Federal sentencing.

(c) **EMERGENCY AUTHORITY.**—The United States Sentencing Commission shall—

(1) promulgate the guidelines, policy statements, or amendments provided for in this Act as soon as practicable, and in any event not later than 120 days after the date of enactment of this Act, in accordance with the procedure set forth in section 21(a) of the Sentencing Act of 1987 (28 U.S.C. 994 note), as though the authority under that Act had not expired; and

(2) pursuant to the emergency authority provided under paragraph (1), make such conforming amendments to the Federal sentencing guidelines as the Commission determines necessary to achieve consistency with other guideline provisions and applicable law.

SEC. 6. REPORT BY ATTORNEY GENERAL.

Not later than 6 months after the date of enactment of this Act, the Attorney General shall submit to the Committees on the Judiciary of the House of Representatives and the Senate a report outlining how the reduced expenditures on Federal corrections and the cost savings resulting from this Act will be used to help reduce overcrowding in the Federal Bureau of Prisons, help increase proper investment in law enforcement and crime prevention, and help reduce criminal recidivism, thereby increasing the effectiveness of Federal criminal justice spending.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 1414. A bill to provide for the conveyance of certain Federal land in the State of Oregon to the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, today I rise to introduce two bills that are aimed at righting past wrongs and fostering the self-sufficiency of proud nations. The Canyon Mountain Land Conveyance Act of 2013 and the Oregon Coastal Land Conveyance Act will provide homelands for the Cow Creek Band of Umpqua Tribe of Indians and the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, respectively—two tribes that are currently without a land base or that have only a nominal land base. I am pleased to be joined in this effort by my friend and colleague, Senator MERKLEY.

Our country's official policies toward its native peoples have changed over time since the founding of the United States. When European settlers came to American shores, they recognized that the lands on which our Nation now sits were occupied by millions of people organized by hundreds of governments, and these European colonial powers respected these governments as fellow sovereigns. In the late 1700's, when our great Nation was born, it followed suit, making treaties with the governments of the various tribes and aiming to get along with them to ensure peace and prosperity for all. As our Nation became more powerful, its

policies toward Native peoples and governments shifted with the political tides of those times. If you examine history books, some of the darkest episodes in our history can be found in the chapters written about our federal government's treatment of the first Americans.

Our Nation's past is littered with failed policies toward its first peoples, and one of those failed policies—that to which scholars refer to as, “Termination”—had a profoundly negative impact on my State. During the 1950's, the federal government was not in the business of honoring the treaties it made with the Indian tribes nor was it interested in living up to its trust responsibility toward its first peoples. Importantly, and as an aside, the tribes had bargained for these rights in exchange for the millions of acres of lands ceded to the United States to enable our westward expansion. At that time, our official Federal stance was focused on terminating the government-to-government relationships between tribal governments and the United States. In my own State of Oregon, several tribes west of the Cascade Mountains were terminated, including the two that are the subjects of the bills I am introducing today. The Termination Era had tragic effects on those tribes that lost Federal recognition. Members of terminated tribes struggled to retain their cultural and religious identities and to survive in a new landscape in which federal programs for their health, education, and housing did not exist.

The Termination Era was such a disaster that the Federal Government formally rebuked it a mere twenty years later when Presidents Johnson and Nixon ushered in the Self-Determination Era. Now, our Federal stance toward tribes is one that respects tribal sovereignty and supports a tribe's right to determine its own destiny while at the same time, fulfilling our duty as trustee to the various tribes. Our Federal policy of self-determination has been lauded by scholars as being the only Federal Indian policy that has succeeded in benefitting our native peoples. Self-Determination Era policies have resulted in an economic boom all over Indian Country as tribes have used Federal assistance to create jobs for Indians and non-Indians alike all across the Nation, much of the time in rural areas where economic opportunities would otherwise not exist. Many of the tribes in my State, for instance, have been able to build their economies, become more self-sufficient and provide valuable goods and services as well as jobs to surrounding community members.

For a tribe to fully exercise its governmental powers—to protect and nurture its members, to retain its cultural and religious heritage, and to grow its economy—it needs a land base. Even though the Cow Creek and Coos tribes were restored to Federal recognition in the 1980's, they still have not been

given back any of their former land from which they can exercise their inherent authority as sovereigns. My bills would provide home bases for these tribes from which they can flourish.

The bills I am introducing today convey 17,826 and 14,804 acres of land that is now managed by the Bureau of Land Management, to the Secretary of the Interior to hold in trust for the Cow Creek Band of Umpqua Tribe of Indians and the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, respectively. The bills specify that commercial forestry activities taking place on the land must be done pursuant to all applicable federal laws, and because both of the tribes already own casinos, they specify that the land cannot be used for gaming purposes. Lastly, to address the concerns of counties over lost timber revenues from the Oregon and California Railroad lands within the conveyances, the bills contain provisions ensuring there will be no net loss of O&C lands to the counties.

I want to thank the tribes, counties, and other stakeholders for working together to find the common ground which made these bills a reality.

Mr. President, I ask unanimous consent that the text of the bills be printed in the RECORD.

There being no objection, the text of the bills were ordered to be printed in the RECORD, as follows:

S. 1414

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Oregon Coastal Land Conveyance Act”.

SEC. 2. DEFINITIONS.

In this Act:

(1) **FEDERAL LAND.**—The term “Federal land” means the approximately 14,804 acres of Federal land, as generally depicted on the map entitled “Oregon Coastal Land Conveyance”, and dated March 27, 2013.

(2) **PLANNING AREA.**—The term “planning area” means land—

(A) administered by the Director of the Bureau of Land Management; and

(B) located in—

(i) the Coos Bay District;

(ii) the Eugene District;

(iii) the Medford District;

(iv) the Roseburg District;

(v) the Salem District; and

(vi) the Klamath Falls Resource Area of the Lakeview District.

(3) **DEFINITION OF PUBLIC DOMAIN LAND.**—

(A) **IN GENERAL.**—In this subsection, the term “public domain land” has the meaning given the term “public lands” in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702).

(B) **EXCLUSION.**—The term “public domain land” does not include any land managed in accordance with the Act of August 28, 1937 (50 Stat. 874, chapter 876; 43 U.S.C. 1181a et seq.).

(4) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(5) **TRIBE.**—The term “Tribe” means the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians.

SEC. 3. CONVEYANCE.

(a) **IN GENERAL.**—Subject to valid existing rights, including rights-of-way, all right,

title, and interest of the United States in and to the Federal land, including any improvements located on the Federal land, appurtenances to the Federal land, and minerals on or in the Federal land, including oil and gas, shall be—

(1) held in trust by the United States for the benefit of the Tribe; and

(2) part of the reservation of the Tribe.

(b) **SURVEY.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall complete a survey of the boundary lines to establish the boundaries of the land taken into trust under subsection (a).

SEC. 4. MAP AND LEGAL DESCRIPTION.

(a) **IN GENERAL.**—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and legal description of the Federal land with—

(1) the Committee on Energy and Natural Resources of the Senate; and

(2) the Committee on Natural Resources of the House of Representatives.

(b) **FORCE AND EFFECT.**—The map and legal description filed under subsection (a) shall have the same force and effect as if included in this Act, except that the Secretary may correct any clerical or typographical errors in the map or legal description.

(c) **PUBLIC AVAILABILITY.**—The map and legal description filed under subsection (a) shall be on file and available for public inspection in the Office of the Secretary.

SEC. 5. ADMINISTRATION.

(a) **IN GENERAL.**—Unless expressly provided in this Act, nothing in this Act affects any right or claim of the Tribe existing on the date of enactment of this Act to any land or interest in land.

(b) **PROHIBITIONS.**—

(1) **EXPORTS OF UNPROCESSED LOGS.**—Federal law (including regulations) relating to the export of unprocessed logs harvested from Federal land shall apply to any unprocessed logs that are harvested from the Federal land.

(2) **NON-PERMISSIBLE USE OF LAND.**—Any real property taken into trust under section 3 shall not be eligible, or used, for any gaming activity carried out under Public Law 100-497 (25 U.S.C. 2701 et seq.).

SEC. 6. FOREST MANAGEMENT.

Any commercial forestry activity that is carried out on the Federal land shall be managed in accordance with all applicable Federal laws.

SEC. 7. LAND RECLASSIFICATION.

(a) **IDENTIFICATION OF OREGON AND CALIFORNIA RAILROAD LAND.**—Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture and the Secretary shall identify any land owned by the Oregon and California Railroad that is conveyed under section 3.

(b) **IDENTIFICATION OF PUBLIC DOMAIN LAND.**—Not later than 18 months after the date of enactment of this Act, the Secretary shall identify public domain land that—

(1) is approximately equal in acreage and condition as the land identified under subsection (a); and

(2) is located within the planning area.

(c) **MAPS.**—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress and publish in the Federal Register 1 or more maps depicting the land identified in subsections (a) and (b).

(d) **RECLASSIFICATION.**—

(1) **IN GENERAL.**—After providing an opportunity for public comment, the Secretary shall reclassify the land identified in subsection (b) as land owned by the Oregon and California Railroad.

(2) **APPLICABILITY.**—The Act of August 28, 1937 (50 Stat. 874, chapter 876; 43 U.S.C. 1181a et seq.) shall apply to land reclassified as land owned by the Oregon and California Railroad under paragraph (1)(B).

S. 1415

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Canyon Mountain Land Conveyance Act of 2013”.

SEC. 2. DEFINITIONS.

In this Act:

(1) **FEDERAL LAND.**—The term “Federal land” means the approximately 17,826 acres of Federal land, as generally depicted on the map entitled “Canyon Mountain Land Conveyance”, and dated June 27, 2013.

(2) **PLANNING AREA.**—The term “planning area” means land—

(A) administered by the Director of the Bureau of Land Management; and

(B) located in—

(i) the Coos Bay District;

(ii) the Eugene District;

(iii) the Medford District;

(iv) the Roseburg District;

(v) the Salem District; and

(vi) the Klamath Falls Resource Area of the Lakeview District.

(3) **DEFINITION OF PUBLIC DOMAIN LAND.**—

(A) **IN GENERAL.**—In this subsection, the term “public domain land” has the meaning given the term “public lands” in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702).

(B) **EXCLUSION.**—The term “public domain land” does not include any land managed in accordance with the Act of August 28, 1937 (50 Stat. 874, chapter 876; 43 U.S.C. 1181a et seq.).

(4) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(5) **TRIBE.**—The term “Tribe” means the Cow Creek Band of Umpqua Tribe of Indians.

SEC. 3. CONVEYANCE.

(a) **IN GENERAL.**—Subject to valid existing rights, including rights-of-way, all right, title, and interest of the United States in and to the Federal land, including any improvements located on the Federal land, appurtenances to the Federal land, and minerals on or in the Federal land, including oil and gas, shall be—

(1) held in trust by the United States for the benefit of the Tribe; and

(2) part of the reservation of the Tribe.

(b) **SURVEY.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall complete a survey of the boundary lines to establish the boundaries of the land taken into trust under subsection (a).

SEC. 4. MAP AND LEGAL DESCRIPTION.

(a) **IN GENERAL.**—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and legal description of the Federal land with—

(1) the Committee on Energy and Natural Resources of the Senate; and

(2) the Committee on Natural Resources of the House of Representatives.

(b) **FORCE AND EFFECT.**—The map and legal description filed under subsection (a) shall have the same force and effect as if included in this Act, except that the Secretary may correct any clerical or typographical errors in the map or legal description.

(c) **PUBLIC AVAILABILITY.**—The map and legal description filed under subsection (a) shall be on file and available for public inspection in the Office of the Secretary.

SEC. 5. ADMINISTRATION.

(a) **IN GENERAL.**—Unless expressly provided in this Act, nothing in this Act affects any right or claim of the Tribe existing on the date of enactment of this Act to any land or interest in land.

(b) **PROHIBITIONS.**—

(1) **EXPORTS OF UNPROCESSED LOGS.**—Federal law (including regulations) relating to

the export of unprocessed logs harvested from Federal land shall apply to any unprocessed logs that are harvested from the Federal land.

(2) **NON-PERMISSIBLE USE OF LAND.**—Any real property taken into trust under section 3 shall not be eligible, or used, for any gaming activity carried out under Public Law 100-497 (25 U.S.C. 2701 et seq.).

SEC. 6. FOREST MANAGEMENT.

Any commercial forestry activity that is carried out on the Federal land shall be managed in accordance with all applicable Federal laws.

SEC. 7. LAND RECLASSIFICATION.

(a) **IDENTIFICATION OF OREGON AND CALIFORNIA RAILROAD LAND.**—Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture and the Secretary shall identify any land owned by the Oregon and California Railroad that is conveyed under section 3.

(b) **IDENTIFICATION OF PUBLIC DOMAIN LAND.**—Not later than 18 months after the date of enactment of this Act, the Secretary shall identify public domain land that—

(1) is approximately equal in acreage and condition as the land identified under subsection (a); and

(2) is located within the planning area.

(c) **MAPS.**—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress and publish in the Federal Register 1 or more maps depicting the land identified in subsections (a) and (b).

(d) **RECLASSIFICATION.**—

(1) **IN GENERAL.**—After providing an opportunity for public comment, the Secretary shall reclassify the land identified in subsection (b) as land owned by the Oregon and California Railroad.

(2) **APPLICABILITY.**—The Act of August 28, 1937 (50 Stat. 874, chapter 876; 43 U.S.C. 1181a et seq.) shall apply to land reclassified as land owned by the Oregon and California Railroad under paragraph (1)(B).

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 207—DESIGNATING AUGUST 16, 2013, AS “NATIONAL AIRBORNE DAY”

Mr. REED of Rhode Island (for himself, Ms. MURKOWSKI, Mr. BEGICH, Mrs. HAGAN, Mr. REID of Nevada, Mr. WHITEHOUSE, Mr. CHAMBLISS, Mr. COCHRAN, Mr. WICKER, Mr. BLUMENTHAL, Mr. TESTER, Mr. BAUCUS, Mr. MORAN, Mr. ISAKSON, Ms. COLLINS, Mr. BLUNT, Mr. BURR, Mr. CASEY, and Mrs. MURRAY) submitted the following resolution; which was considered and agreed to:

S. RES. 207

Whereas the members of the airborne forces of the Armed Forces of the United States have a long and honorable history as bold and fierce warriors who, for the national security of the United States and the defense of freedom and peace, project the ground combat power of the United States by air transport to the far reaches of the battle area and to the far corners of the world;

Whereas the experiment of the United States with airborne operations began on June 25, 1940, when the Army Parachute Test Platoon was first authorized by the Department of War, and 48 volunteers began training in July 1940;

Whereas August 16 marks the anniversary of the first official Army parachute jump, which took place on August 16, 1940, to test the innovative concept of inserting United

States ground combat forces behind a battle line by means of a parachute;

Whereas the success of the Army Parachute Test Platoon in the days immediately before the entry of the United States into World War II validated the airborne operational concept and led to the creation of a formidable force of airborne formations that included the 11th, 13th, 17th, 82nd, and 101st Airborne Divisions;

Whereas, included in those divisions, and among other separate formations, were many airborne combat, combat support, and combat service support units that served with distinction and achieved repeated success in armed hostilities during World War II, and provide the lineage and legacy of many airborne units throughout the Armed Forces;

Whereas the achievements of the airborne units during World War II prompted the evolution of those units into a diversified force of parachute and air-assault units that, over the years, have fought in Korea, Vietnam, Grenada, Panama, the Persian Gulf region, and Somalia, and have engaged in peace-keeping operations in Lebanon, the Sinai Peninsula, the Dominican Republic, Haiti, Bosnia, and Kosovo;

Whereas, since the terrorist attacks of September 11, 2001, the members of the United States airborne forces, including members of the XVIII Airborne Corps, the 82nd Airborne Division, the 101st Airborne Division, the 173rd Airborne Brigade Combat Team, the 4th Brigade Combat Team (Airborne) of the 25th Infantry Division, the 75th Ranger Regiment, special operations forces of the Army, Marine Corps, Navy, and Air Force, and other units of the Armed Forces, have demonstrated bravery and honor in combat, stability, and training operations in Afghanistan and Iraq;

Whereas the modern-day airborne forces also include other elite forces composed of airborne trained and qualified special operations warriors, including Army Special Forces, Marine Corps Reconnaissance units, Navy SEALs, and Air Force combat control and pararescue teams;

Whereas, of the members and former members of the United States airborne forces, thousands have achieved the distinction of making combat jumps, dozens have earned the Medal of Honor, and hundreds have earned the Distinguished Service Cross, the Silver Star, or other decorations and awards for displays of heroism, gallantry, intrepidity, and valor;

Whereas the members and former members of the United States airborne forces are all members of a proud and honorable tradition that, together with the special skills and achievements of those members, distinguishes the members as intrepid combat parachutists, air assault forces, special operation forces, and, in the past, glider troops;

Whereas individuals from every State in the United States have served gallantly in the airborne forces, and each State is proud of the contributions of its paratrooper veterans during the many conflicts faced by the United States;

Whereas the history and achievements of the members and former members of the United States airborne forces warrant special expressions of the gratitude of the people of the United States; and

Whereas, since the airborne forces, past and present, celebrate August 16 as the anniversary of the first official jump by the Army Parachute Test Platoon, August 16 is an appropriate day to recognize as National Airborne Day: Now, therefore, be it

Resolved, That the Senate—

(1) designates August 16, 2013, as “National Airborne Day”; and

(2) calls on the people of the United States to observe National Airborne Day with appropriate programs, ceremonies, and activities.

SENATE RESOLUTION 208—DESIGNATING THE WEEK BEGINNING SEPTEMBER 8, 2013, AS “NATIONAL DIRECT SUPPORT PROFESSIONALS RECOGNITION WEEK”

Mr. CARDIN (for himself, Ms. COLLINS, Ms. WARREN, Mr. GRASSLEY, Mr. BROWN, Mr. ROCKEFELLER, and Mr. MURPHY) submitted the following resolution; which was considered and agreed to:

S. RES. 208

Whereas direct support professionals, direct care workers, personal assistants, personal attendants, in-home support workers, and paraprofessionals (referred to in this preamble as “direct support professionals”) are the primary providers of publicly funded long-term supports and services for millions of individuals;

Whereas a direct support professional must build a close, trusted relationship with an individual with disabilities;

Whereas a direct support professional assists an individual with disabilities with the most intimate needs on a daily basis;

Whereas direct support professionals provide a broad range of support, including—

- (1) preparing meals;
- (2) managing medications;
- (3) bathing;
- (4) dressing;
- (5) helping with mobility;
- (6) providing transportation to school, work, and religious, and recreational activities; and
- (7) helping with general daily affairs;

Whereas a direct support professional provides essential support to help keep an individual with disabilities connected to the family and community of the individual;

Whereas direct support professionals enable individuals with disabilities to live meaningful, productive lives;

Whereas a direct support professional is the key to allowing an individual with disabilities to live successfully in the community and avoid more costly institutional care;

Whereas the majority of direct support professionals are female, and many are the sole breadwinners of their families;

Whereas direct support professionals work and pay taxes, but many are impoverished and are eligible for the same Federal and State public assistance programs on which the individuals with disabilities served by the direct support professionals must depend;

Whereas Federal and State policies, as well as the Supreme Court in *Olmstead v. L.C.*, 527 U.S. 581 (1999), assert the right of an individual to live in the home and community of the individual;

Whereas, in 2013, the majority of direct support professionals are employed in home- and community-based settings, and this trend is projected to increase during this decade;

Whereas there is a documented critical and growing shortage of direct support professionals in every community throughout the United States; and

Whereas many direct support professionals are forced to leave jobs due to inadequate wages and benefits, creating high turnover and vacancy rates that research demonstrates adversely affects the quality of

support provided to individuals with disabilities: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning September 8, 2013, as “National Direct Support Professionals Recognition Week”;;

(2) recognizes the dedication and vital role of direct support professionals in enhancing the lives of individuals of all ages with disabilities;

(3) appreciates the contribution of direct support professionals in supporting the needs that are beyond the capacities of millions of families in the United States;

(4) commends direct support professionals as integral in supporting the long-term support and services system of the United States; and

(5) finds that the successful implementation of the public policies of the United States depends on the dedication of direct support professionals.

SENATE RESOLUTION 209—REMEMBERING THE ANNIVERSARY OF THE TRAGIC SHOOTING ON AUGUST 5, 2012, AT THE SIKH TEMPLE OF WISCONSIN IN OAK CREEK, WISCONSIN

Ms. BALDWIN (for herself, Mr. JOHNSON of Wisconsin, Mr. COONS, Mr. CORNYN, and Mrs. GILLIBRAND) submitted the following resolution; which was considered and agreed to:.

S. RES. 209

Whereas, on Sunday, August 5, 2012, a shooting took place at the Sikh Temple of Wisconsin in Oak Creek, Wisconsin;

Whereas 6 innocent people of the United States, including one woman and 5 men, lost their lives on that day in a senseless and violent act of hate at a house of worship;

Whereas 3 people sustained serious injuries, including Lieutenant Brian Murphy, the first responding officer;

Whereas many members of the Sikh community and the community as a whole selflessly sought to aid and protect others by putting their own safety at risk;

Whereas the heroic action of law enforcement officers such as Officer Sam Lenda prevented additional loss of life; and

Whereas the Sikh community has responded to the shooting in a peaceful manner consistent with the Sikh religious tenets of peace and equality: Now, therefore, be it

Resolved, That the Senate—

(1) remembers the anniversary of the tragic shooting on August 5, 2012, at the Sikh Temple of Wisconsin in Oak Creek, Wisconsin;

(2) condemns in the strongest possible terms that horrific shooting;

(3) condemns hatred and acts of violence towards racial and religious groups and calls for renewed efforts to end that violence;

(4) honors the memory of Suveg Singh Khattria, Satwant Singh Kaleka, Ranjit Singh, Sita Singh, Paramjit Kaur, and Prakash Singh, who died in the shooting;

(5) offers heartfelt condolences to the families, friends, and loved ones of those who died in the shooting;

(6) commends the heroism of first responders, and members of the community who courageously and selflessly placed their lives in danger to prevent the death of more innocent people; and

(7) stands with those who plan to gather in Oak Creek on August 2 through August 5, 2013, to memorialize the lives lost in the shooting and to continue healing as a community.

SENATE RESOLUTION 210—RECOGNIZING AND HONORING ROBERT S. MUELLER, III, DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION

Mr. LEAHY (for himself, Mr. GRASSLEY, Mrs. FEINSTEIN, Mr. HATCH, Mr. DURBIN, Mr. CORNYN, Mr. WHITEHOUSE, Mr. BLUMENTHAL, and Ms. HIRONO) submitted the following resolution; which was considered and agreed to:

S. RES. 210

Whereas Robert S. Mueller, III has enjoyed a long and distinguished career in public service as a military officer, as a prosecutor, and as the sixth Director of the Federal Bureau of Investigation (referred to in this preamble as the “FBI”);

Whereas Director Mueller received his undergraduate degree from Princeton University, a master’s degree in International Relations from New York University, and a juris doctor from the University of Virginia;

Whereas Director Mueller served with bravery in the United States Marine Corps during the Vietnam War, leading a rifle platoon of the 3rd Marine Division and earning the Bronze Star, 2 Navy Commendation Medals, the Purple Heart, and the Vietnamese Cross of Gallantry;

Whereas Director Mueller began his career in law enforcement in 1976 as an Assistant United States Attorney in the United States Attorney’s Office for the Northern District of California in San Francisco, and then served as an Assistant United States Attorney for the District of Massachusetts in Boston;

Whereas Director Mueller later served in a variety of other positions in the Department of Justice, including as a senior litigator in the Homicide Section of the United States Attorney’s Office for the District of Columbia, assistant to Attorney General Richard L. Thornburgh, and Assistant Attorney General for the Criminal Division;

Whereas, in 1998, Director Mueller was nominated by President William J. Clinton and confirmed by the Senate to be the United States Attorney for the Northern District of California in San Francisco;

Whereas, in 2001, Director Mueller was nominated by President George W. Bush and confirmed by the Senate to be the Director of the FBI;

Whereas Director Mueller took office as Director of the FBI on September 4, 2001, just 1 week before the terrorist attacks on September 11, 2001;

Whereas Director Mueller led the FBI in the wake of the September 11 attacks and helped transform the FBI into an intelligence-driven organization with a primary focus on national security threats;

Whereas, in 2011, Director Mueller again answered the call to public service by agreeing to serve for an additional 2 years beyond his original 10-year term as Director of the FBI;

Whereas, in 2011, Congress enacted legislation creating a special 2-year term that enabled Director Mueller to continue serving as Director of the FBI;

Whereas Director Mueller has earned the trust and respect of Senators from both parties as a result of his candor, integrity, and unwavering commitment to the rule of law; and

Whereas, throughout the past 12 years, Director Mueller has embodied the principles of fidelity, bravery, and integrity that are at the core of the FBI: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and honors the distinguished service of Robert S. Mueller, III as the sixth

Director of the Federal Bureau of Investigation; and

(2) expresses, on behalf of the United States, its deep appreciation to Director Mueller for his dedication, sacrifice, and outstanding service to his country.

SENATE RESOLUTION 211—DESIGNATING SEPTEMBER 2013 AS “NATIONAL SPINAL CORD INJURY AWARENESS MONTH”

Mr. RUBIO (for himself and Mr. NELSON) submitted the following resolution; which was considered and agreed to:

S. RES. 211

Whereas the estimated 1,275,000 individuals in the United States who live with a spinal cord injury cost society billions of dollars in health care costs and lost wages;

Whereas an estimated 100,000 of those people are veterans who suffered the spinal cord injury while serving as members of the Armed Forces of the United States;

Whereas accidents are the leading cause of spinal cord injuries;

Whereas motor vehicle crashes are the second leading cause of spinal cord and traumatic brain injuries;

Whereas 70 percent of all spinal cord injuries that occur in children under the age of 18 are a result of motor vehicle accidents;

Whereas every 48 minutes a person will become paralyzed, underscoring the urgent need to develop new neuroprotection, pharmacological, and regeneration treatments to reduce, prevent, and reverse paralysis; and

Whereas increased education and investment in research are key factors in improving outcomes for victims of spinal cord injuries, improving the quality of life of victims, and ultimately curing paralysis: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 2013 as “National Spinal Cord Injury Awareness Month”;

(2) supports the goals and ideals of National Spinal Cord Injury Awareness Month;

(3) continues to support research to find better treatments, therapies, and a cure for paralysis;

(4) supports clinical trials for new therapies that offer promise and hope to those persons living with paralysis; and

(5) commends the dedication of local, regional, and national organizations, researchers, doctors, volunteers, and people across the United States that are working to improve the quality of life of people living with paralysis and their families.

SENATE CONCURRENT RESOLUTION 21—EXPRESSING THE SENSE OF CONGRESS THAT CONSTRUCTION OF THE KEYSTONE XL PIPELINE AND THE FEDERAL APPROVALS REQUIRED FOR THE CONSTRUCTION OF THE KEYSTONE XL PIPELINE ARE IN THE NATIONAL INTEREST OF THE UNITED STATES

Ms. LANDRIEU (for herself, Mr. HOEVEN, Mr. PRYOR, Mr. DONNELLY, Mr. BEGICH, Ms. HEITKAMP, Mr. THUNE, Mr. RISCH, Mr. CORNYN, Mr. JOHANNES, and Mr. BARRASSO) submitted the following concurrent resolution; which was referred to the Committee on Energy and Natural Resources:

S. CON. RES. 21

Whereas safe and responsible production, transportation, and use of oil and petroleum

products provide the foundation of the energy economy of the United States, helping to secure and advance the economic prosperity, national security, and overall quality of life in the United States;

Whereas the Keystone XL pipeline would provide short- and long-term employment opportunities and related labor income benefits, such as government revenues associated with taxes;

Whereas the State of Nebraska has thoroughly reviewed and approved the proposed Keystone XL pipeline reroute, concluding that the concerns of Nebraskans have had a major influence on the pipeline reroute and that the reroute will have minimal environmental impacts;

Whereas the Department of State and other Federal agencies have conducted extensive studies and analysis over a long period of time on the technical, environmental, social, and economic impact of the proposed Keystone XL pipeline;

Whereas assessments by the Department of State found that the Keystone XL pipeline is “not likely to impact the amount of crude oil produced from the oil sands” and that “approval or denial of the proposed Project is unlikely to have a substantial impact on the rate of development in the oil sands”;

Whereas the Department of State found that the incremental life cycle greenhouse gas emissions associated with the Keystone XL project are estimated in the range of 0.07 to 0.83 million metric tons of carbon dioxide equivalents, with the upper end of this range representing 121,000 of 1 percent of the 6,702,000,000 metric tons of carbon dioxide emitted in the United States in 2011;

Whereas after extensive evaluation of potential impact to land and water resources along the 875-mile proposed route of the Keystone XL pipeline, the Department of State found, “The analyses of potential impacts associated with construction and normal operation of the proposed Project suggest that there would be no significant impacts to most resources along the proposed Project route (assuming Keystone complies with all laws and required conditions and measures).”;

Whereas the Department of State found that “[s]pills associated with the proposed Project that enter the environment are expected to be rare and relatively small” and that “there is no evidence of increased corrosion or other pipeline threat due to viscosity” of diluted bitumen oil that will be transported by the Keystone XL pipeline;

Whereas, the National Research Council convened a special expert panel to review the risk of transporting diluted bitumen by pipeline and issued a report in June 2013 to the Department of Transportation in which the National Research Council found that existing literature indicates that transportation of diluted bitumen poses no increased risk of pipeline failure;

Whereas plans to incorporate 57 project-specific special conditions relating to the design, construction, and operations of the Keystone XL pipeline led the Department of State to find that the pipeline will have “a degree of safety over any other typically constructed domestic oil pipeline”; and

Whereas, the Department of State found that oil destined to be shipped through the pipeline from the oil sands region of Canada and oil shale deposits in the United States would otherwise move by other modes of transportation if the Keystone XL pipeline is not built; Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) construction of the Keystone XL pipeline will promote sound investment in the infrastructure of the United States;

(2) construction of the Keystone XL pipeline will promote energy security in North America and will generate an increase in private sector jobs that will benefit both the region surrounding the Keystone XL pipeline and the United States as a whole; and

(3) completion of the Keystone XL pipeline is in the national interest of the United States.

Mr. HOEVEN. Mr. President, I come to the floor today to talk about the Keystone XL Pipeline. I am going to submit a concurrent resolution that I am sponsoring with MARY LANDRIEU of Louisiana, but before I do that, I want to talk specifically in terms of the Keystone XL Pipeline and correcting the record. I am correcting the record relative to statements the administration has made recently about the project.

As we all know, the Obama administration has been reviewing this project for 5 years. The initial application was submitted by TransCanada, the parent company, in September of 2008, and we are now almost in August of 2013. So in addition to delaying the project, they are also putting out false information. President Obama and Treasury Secretary Lew presented information this week on the Keystone Pipeline that is wrong, and today I want to correct the record.

I want to quote directly from an interview President Obama conducted and reported in the New York Times on Saturday. I am going to read from that transcript because it goes to a number of issues in terms of jobs and energy development as well as the requirements the administration says need to be addressed for the Keystone Pipeline. However, I think the company has addressed those issues in great detail.

Again, this is the transcript from the New York Times. Also, the interview was conducted last week when the President was on his jobs tour.

The interviewer said:

A couple of other quick subjects that are economic-related. Keystone pipeline—Republicans especially talked about that as a big job creator. You've said that you would approve it only if you could be assured it would not significantly exacerbate carbon in the atmosphere. Is there anything that Canada could do or the oil companies could do to offset that as a way of helping you reaching that decision?

That was the question asked of the President. The President responded:

Well, first of all, Michael, [the interviewer] Republicans have said that this would be a big jobs generator. There is no evidence that that's true. And my hope would be that any reporter who is looking at the facts would take the time to confirm that the most realistic estimates are this might create maybe 2,000 jobs during the construction of the pipeline—

That is the Keystone Pipeline.

which might take a year or two—and then after that we're talking somewhere between 50 and 100 [chuckles] jobs in an economy of 150 million working people.

The interviewer goes on:

Yet there are a number of unions who want you to approve this.

Mr. Obama:

Well, look, they might like to see 2,000 jobs initially. But that is a blip relative to the need.

So what we also know is, is that that oil is going to be piped down to the Gulf to be sold on the world oil markets, so it does not bring down gas prices here in the United States. In fact, it might actually cause some gas prices in the Midwest to go up where currently they can't ship some of that oil to world markets.

Now, having said that, there is a potential benefit for us integrating further with a reliable ally to the north our energy supplies.

But I meant what I said; I will evaluate this based on whether or not this is going to significantly contribute to carbon in our atmosphere. And there is no doubt that Canada at the source in those tar sands could potentially be doing more to mitigate carbon releases.

The interviewer asked:

And if they did, could that offset concerns about the pipeline itself?

To which the President responded:

We haven't seen specific ideas or plans. But all of that will go into the mix in terms of John Kerry's decision or recommendation on this issue.

That was the key part of the interview I want to address in my comments.

There are three points I would like to make. The first one is jobs. President Obama says the project will create 2,000 jobs during construction. Then he says maybe 50 or so after that, and he kind of chuckles as he says that.

The first question is: Where does that number come from? Where is he getting his number? His own State Department has a very different number. They say it is going to create more than 42,000 jobs during construction. They didn't say 2,000 jobs during construction, but more than 42,000 jobs during construction.

I will read from the State Department report. It is a draft from the environmental impact statement which came out on March 1, 2013. The State Department report says:

Including direct, indirect, and induced effects, the proposed Project would potentially support approximately 42,100 average annual jobs across the United States over a 1-to 2-year construction period.

That is right out of the report. The State Department goes on to talk about some of the other employment benefits created by the Keystone project.

This employment would potentially translate into approximately \$2.05 billion in earnings. Direct expenditures such as construction and material costs . . . would total approximately \$3.3 billion. Short-term revenues from sources such as sales and use taxes would total approximately \$65 million in states that levy such a tax.

So you are getting tax revenues and \$65 million as well.

Yields from fuel and other taxes could not be calculated, but would provide some additional economic benefit to host countries and states.

There is the environmental impact as to the employment right out of the State Department report. We have to ask: Why is President Obama talking about a number like 2,000? It appears

the number he is quoting comes from opponents of the projects. Rather than taking his own State Department numbers—done after 5 years of study—he is quoting numbers which are wrong from opponents of the project. Again, don't take my word for it.

Recently the Washington Post—in their fact-check article—stated that President Obama appeared to be using numbers from opponents of the project rather than from his own State Department.

So why would he do that? Why would he take numbers from opponents rather than the State Department?

Well, here is what Sean McGarvey, president of North America's Building Trades Unions, had to say about it in a statement he issued several days ago. According to Sean McGarvey, president of North America's Building Trade Unions:

America's Building Trade Unions were disappointed to see that the President chose to minimize the importance of jobs for construction workers and to use employment figures promulgated by special interests and activist billionaires rather than his own Department of State's findings that the proposed Keystone XL Pipeline would support approximately 42,100 average annual jobs across the United States over a 1- to 2-year construction period.

But the President goes on—it is not just the jobs number that is incorrect. The President also stated this in that New York Times interview:

What we also know is, is that that oil is going to be piped down to the Gulf to be sold on the world oil markets, so it does not bring down gas prices here in the United States. In fact, it might actually cause some gas prices in the Midwest to go up where currently they can't ship some of that oil to world markets.

So he is saying the oil won't be used in the United States and, in fact, it might cause gas prices to go up. But now he is contradicting a report from his own Department of Energy. His own Department of Energy addressed those very issues back in June of 2011. They issued a report, and that report forecasted that the oil will be used in the United States and, further, that it will reduce the price of fuel at the pump for Midwest consumers. I will quote from that report. Again, this is a report from the Department of Energy that was provided in June of 2011.

Without a surplus of heavy oil in (the Gulf Coast), there would be no economic incentive to ship Canadian oil sands to Asia via Port Arthur (in Texas). Many of these (Gulf Coast) refineries rely on declining supplies of Mexican and Venezuelan heavy crudes. . . . They would be natural customers for increased supplies of Canadian dilbit (oil sands oil). . . . The Gulf Coast appetite for Canadian oil sands . . . will be much higher than can be supplied by just the Keystone XL Pipeline.

So they are saying it will be used in the United States.

Concerning the cost of fuel to customers, DOE said:

With substantial additional volumes of light-sweet and other crudes accessible to Gulf Coast refineries, (West Texas Intermediate) prices would increase, Brent, Argus

and other market crude prices would decline. Crude costs to (East Coast) and (Gulf Coast) refineries would be lower.

Here is the key sentence from this section:

Gasoline prices in all markets served by (East and Gulf Coast) refineries would be lower, including the Midwest.

So the Department of Energy in its report specifically states that the oil will be used in the United States—we are a net importer of crude oil—and that gas prices would be lower, not higher. As I said earlier, the State Department in the EIS said the job number will be 42,000, not 2,000.

The President then concludes the interview by essentially telling Canada what they should do in terms of their regulatory requirements. He says:

And there is no doubt that Canada at the source in those tar sands could potentially be doing more to mitigate carbon release.

The interviewer then asks:

And if they did, could that offset the concerns about the pipeline itself?

President Obama declines to indicate any specifics, but he says essentially all of that will go into the mix for the decision on whether to approve the Keystone XL Pipeline.

So here we are. After 5 years—after 5 years of delay, the President is talking about adding new requirements to the project. He is talking about adding those requirements in another country—our closest friend and ally, Canada—or I guess he is essentially saying he would turn down the project—a project that actually reduces greenhouse gas because there is less greenhouse gas if we move that oil by pipeline than if it is moved by truck, by train, or by tanker.

Furthermore, perhaps the biggest irony is that he is imposing this type of regulatory barrier at the same time he is on a jobs tour, which created some problems for his Cabinet members as well. For example, Jack Lew was on “Fox News Sunday” with Chris Wallace, and he got it wrong on Keystone as well last Sunday. The following is part of that transcript. Again, this was “Fox News Sunday” with Chris Wallace and Jack Lew. Wallace asked this question:

Let me ask you one question. If you're so interested in creating more jobs, why not approve the Keystone Pipeline which would create tens of thousands of jobs, sir?

Lew responds:

Chris, I think, as you know, the Keystone Pipeline is being reviewed. It's been in the process that was slowed down because—

Wallace then says:

Several years it's being reviewed. I think what, three, four years.

Lew responds:

It was—there were some political games that were played that took it off the trail, past its completion. When Republicans put it out there as something that was put on a timetable where it could not be resolved, it caused a delay. We are getting to the end of the review and we'll have to see where that review is. But I think playing political games with something like this is a mistake.

So he is saying that somehow the Republicans were playing political games and that slowed down the project and that is why it has been in review for 5 years. Five years it has been in review.

Well, as for Secretary Lew's remarks on “Fox News Sunday,” we need only to let the facts—especially the dates—speak for themselves. Secretary Lew claimed that the Keystone XL project was delayed because Republicans politicized it. I would be happy to share with them a letter I received in the summer of 2011 from Secretary of State Hillary Clinton. In that letter the Secretary assured me that the Department was poised to make a permitting decision on the Keystone XL project by December of that year—December of 2011.

I have the letter here. It is dated July 26, 2011. It is addressed to Senator HOEVEN. It says: “Thank you for your letter regarding the proposed Keystone XL Pipeline.” It goes on to make various comments. The key line in the letter is this: “We expect to make a decision on whether to grant or deny the permit before the end of the year.” This is for the Keystone XL Pipeline project from, at that time, Secretary of State Clinton. Instead, however, during the 2012 Presidential election—less than a year away in November—President Obama intervened to postpone that decision until after the election. Then and only then did I press to seek legislatively for a timely decision on the Keystone XL Pipeline and introduced legislation, which we passed, calling for a decision within 60 days, which the President declined to make. So clearly the delay of 5 years is because the administration has refused to make a decision and not for any other reason.

It is not only time to make a decision on the Keystone Pipeline, it is far past time. That is exactly what the American people want. As a matter of fact, in a recent—the most recent poll on the Keystone Pipeline project, Harris Interactive Poll, 82 percent of Americans support approving the Keystone XL Pipeline—82 percent. The President has continued to review it and talk about more requirements. He has provided incorrect information on the jobs and whether the oil will be used here and the impact on gas prices. But 82 percent of Americans want this project approved.

It is about energy. It is about jobs. It is about economic activity. It is about energy security for our country. That is why, as I conclude here today, I wish to submit for the Senate RECORD today, along with Senator MARY LANDRIEU of Louisiana, a concurrent resolution expressing the sense of the Congress that construction of the Keystone XL Pipeline and the Federal approvals required for construction of the Keystone XL Pipeline are in the national interests of the United States. Essentially, with this concurrent resolution, what we are saying is that the Keystone XL Pipeline is in the national interests of the United States and that the administra-

tion needs to approve it. It is a bipartisan resolution, and we will seek to have it approved here in the Senate and approved in the House as well. This is in addition to bipartisan legislation I have already introduced which would approve the project congressionally.

The simple point is this: We need to keep the push on to get this project approved, whether it is with a joint resolution of Congress in support of the project, getting the President to make a decision and to make a favorable decision and to do it now instead of continuing to postpone after 5 years or whether Congress steps forward and approves the project directly through legislation I have already submitted.

We need to get this project done for the American people. It really is about jobs. It is about economic growth and activity. It is about energy for our country and getting this country to the point where we are energy independent, energy secure, where we don't need to rely on oil from the Middle East. That is why 82 percent of Americans in the most recent poll across this country are saying this is the kind of project we need. Mr. President, step up and get it done for the American people.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1832. Mr. KING (for himself and Ms. HEITKAMP) submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table.

SA 1833. Ms. HEITKAMP submitted an amendment intended to be proposed by her to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1834. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1835. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1836. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1837. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1838. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1839. Mr. PRYOR (for himself and Mr. BOOZMAN) submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1832. Mr. KING (for himself and Ms. HEITKAMP) submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the

fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 91, line 8, strike the period and insert “: *Provided further*, That the Secretary shall notify public housing agencies of their annual formula allocation not later than 90 days after the date of enactment of this Act: *Provided further*, That the Secretary may extend the notification period established in the prior proviso with the prior written approval of the House and Senate Committees on Appropriations.”.

SA 1833. Ms. HEITKAMP submitted an amendment intended to be proposed by her to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 74, line 18, strike “\$521,375,000” and insert “\$516,375,000”.

On page 98, line 5, strike “\$3,295,000,000” and insert “\$3,300,000,000”.

On page 98, line 11, after the colon insert “*Provided further*, That of the total amounts made available under this heading, \$5,000,000 is for carrying out grants to assist tribal colleges and universities under the Tribal Colleges and Universities Program pursuant to section 107 of the Housing and Community Development Act of 1974 (42 U.S.C. 5307):”.

SA 1834. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 75, line 8, strike “\$193,600,000” and insert “\$191,100,000”.

On page 84, line 10, strike “\$78,000,000” and insert “\$80,500,000”.

SA 1835. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, line 21, after the semicolon insert “*Provided further*, That the Secretary of Housing and Urban Development and the Secretary of Veterans Affairs shall, in administering and distributing rental voucher assistance funded under this paragraph, give consideration to the unique challenges of identifying homeless veterans in rural areas during point in time counts, and adjust their rental voucher assistance allocations accordingly:”.

SA 1836. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes;

which was ordered to lie on the table; as follows:

On page 74, between lines 8 and 9, insert the following:

SEC. 192. (a) The Surface Transportation Board shall investigate any complaint filed by any office or agency of the State of Illinois concerning a freight railroad’s actions to delay or obstruct studies, access, investigations, or planning of a new or existing intercity passenger rail route in Illinois.

(b) The Surface Transportation Board is authorized to award damages and other relief pursuant to section 24308 of title 49, United States Code, if the Board finds that a freight railroad—

(1) has delayed studies, access, investigations, or planning of a new or existing intercity passenger rail route in Illinois; or

(2) is deemed to have failed to negotiate with any agency or office of the State of Illinois on any such route.

SA 1837. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 169, between lines 22 and 23, insert the following:

SEC. 244. BUDGET-NEUTRAL DEMONSTRATION PROGRAM FOR ENERGY AND WATER CONSERVATION IMPROVEMENTS AT MULTIFAMILY RESIDENTIAL UNITS.

(a) **ESTABLISHMENT.**—The Secretary of Housing and Urban Development (referred to in this section as the “Secretary”) shall establish a demonstration program under which, during the period beginning on October 1, 2013, and ending on September 30, 2016, the Secretary may enter into budget-neutral, performance-based agreements that result in a reduction in energy or water costs with such entities as the Secretary determines to be appropriate under which the entities shall carry out projects for energy or water conservation improvements at not more than 20,000 residential units in multifamily buildings participating in—

(1) the project-based rental assistance program under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), other than assistance provided under section 8(o) of that Act;

(2) the supportive housing for the elderly program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q); or

(3) the supportive housing for persons with disabilities program under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)).

(b) **REQUIREMENTS.**—

(1) **PAYMENTS CONTINGENT ON SAVINGS.**—

(A) **IN GENERAL.**—The Secretary shall provide to an entity a payment under an agreement under this section only during applicable years for which an energy or water cost savings is achieved with respect to the applicable multifamily portfolio of properties, as determined by the Secretary, in accordance with subparagraph (B).

(B) **PAYMENT METHODOLOGY.**—

(i) **IN GENERAL.**—Each agreement under this section shall include a pay-for-success provision—

(I) that will serve as a payment threshold for the term of the agreement; and

(II) pursuant to which the Department of Housing and Urban Development shall share a percentage of the savings at a level determined by the Secretary that is sufficient to

cover the administrative costs of carrying out this section.

(ii) **LIMITATIONS.**—A payment made by the Secretary under an agreement under this section shall—

(I) be contingent on documented utility savings; and

(II) not exceed the utility savings achieved by the date of the payment, and not previously paid, as a result of the improvements made under the agreement.

(C) **THIRD PARTY VERIFICATION.**—Savings payments made by the Secretary under this section shall be based on a measurement and verification protocol that includes at least—

(i) establishment of a weather-normalized and occupancy-normalized utility consumption baseline established prerotrofit;

(ii) annual third party confirmation of actual utility consumption and cost for owner-paid utilities;

(iii) annual third party validation of the tenant utility allowances in effect during the applicable year and vacancy rates for each unit type; and

(iv) annual third party determination of savings to the Secretary.

(2) **TERM.**—The term of an agreement under this section shall be not longer than 12 years.

(3) **ENTITY ELIGIBILITY.**—The Secretary shall—

(A) establish a competitive process for entering into agreements under this section; and

(B) enter into such agreements only with entities that demonstrate significant experience relating to—

(i) financing and operating properties receiving assistance under a program described in subsection (a);

(ii) oversight of energy and water conservation programs, including oversight of contractors; and

(iii) raising capital for energy and water conservation improvements from charitable organizations or private investors.

(4) **GEOGRAPHICAL DIVERSITY.**—Each agreement entered into under this section shall provide for the inclusion of properties with the greatest feasible regional and State variance.

(c) **PLAN AND REPORTS.**—

(1) **PLAN.**—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed plan for the implementation of this section.

(2) **REPORTS.**—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall—

(A) conduct an evaluation of the program under this section; and

(B) submit to Congress a report describing each evaluation conducted under subparagraph (A).

(d) **FUNDING.**—For each fiscal year during which an agreement under this section is in effect, the Secretary may use to carry out this section any funds appropriated to the Secretary for the renewal of contracts under a program described in subsection (a).

SA 1838. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . TECHNICAL CORRECTION RELATING TO FORMULA GRANTS FOR PUBLIC TRANSPORTATION.

Section 5336(b)(2)(E) of title 49, United States Code, is amended by striking “22.27 percent” and inserting “27 percent”.

SA 1839. Mr. PRYOR (for himself and Mr. BOOZMAN) submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 74, between lines 8 and 9, insert the following:

SEC. 192. (a)(1) Not later than 30 days after the date of enactment of this Act, the Secretary of Transportation, acting through the Pipeline and Hazardous Materials Safety Administration (referred to in this section as the “Secretary”), shall publish on the website of the Department of Transportation the following information relating to the rupture of the Pegasus pipeline in the State of Arkansas:

(A) A summarized analysis of the ExxonMobil 2010 and 2013 in-line inspection reports or the full reports.

(B) A summarized analysis of the ExxonMobil 2006 hydrostatic test report or the full report.

(C) The 2013 metallurgical report.

(2) The Secretary shall publish the information required under paragraph (1) in full, with limited redactions allowed under paragraphs (4) and (7)(A) of section 552(b) of title 5, United States Code.

(b) Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress (including the Committees on Appropriations of the House of Representatives and the Senate) a report that—

(1) describes the status of the investigation of the Secretary of the rupture of the Pegasus pipeline;

(2) contains an evaluation of the integrity of the remaining pipeline; and

(3) provides recommendations for improving future pipeline inspections, testing, and monitoring.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on July 31, 2013 at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on July 31, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, “Energy Drinks: Exploring Concerns about Marketing to Youth.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on July 31, 2013, at 9:30 a.m. in room 406 of the Dirksen Senate office building, to conduct a hearing entitled, “Strengthening Public Health Protections by Addressing Toxic Chemical Threats.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 31, 2013, at 3 p.m., to hold a European Affairs subcommittee hearing entitled, “Where is Turkey Headed? Gezi Park, Taksim Square, and The Future of the Turkish Model.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on July 31, 2013, at 10 a.m. in room SD-608 of the Dirksen Senate office building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 31, 2013, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on July 31, 2013, in room SD-628 of the Dirksen Senate Office Building, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on July 31, 2013, at 9 a.m., in room SH-216 of the Hart Senate Office Building, to conduct a hearing entitled “Strengthening Privacy Rights and National Security: Oversight of FISA Surveillance Programs.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS’ AFFAIRS

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Veterans’ Affairs be authorized to meet during the session of the Senate on July 31, 2013, at 10 a.m., in room SR-418 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EMERGENCY MANAGEMENT, INTERGOVERNMENTAL RELATIONS, AND THE DISTRICT OF COLUMBIA

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Subcommittee on Emergency Management, Intergovernmental Relations, and the District of Columbia of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 31, 2013, at 2 p.m. to conduct a hearing entitled, “How Prepared is the National Capital Region for the Next Disaster?”

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON ENERGY, NATURAL RESOURCES, AND INFRASTRUCTURE

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Subcommittee on Energy, Natural Resources, and Infrastructure of the Committee on Finance be authorized to meet during the session of the Senate on July 31, 2013, at 2:30 p.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled “Powering Our Future: Principles for Energy Tax Reform.”

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON NATIONAL PARKS

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Subcommittee on National Parks be authorized to meet during the session of the Senate to conduct a hearing on July 31, 2013, at 2:30 p.m. in room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Mr. President, I ask unanimous consent that Allan Van Vliet be given floor privileges for the balance of the day. He is an intern in my office.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that two fellows from Senator BROWN’s staff, Andrew Steigerwald and Katherine LaBeau, be granted floor privileges for tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Rhode Island.

10-YEAR ANNIVERSARY OF NATO ALLIED COMMAND TRANSFORMATION

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 146, S. Res. 156.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 156) expressing the sense of the Senate on the 10-year anniversary of NATO Allied Command Transformation.

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Foreign Relations, with an amendment and an amendment to the preamble, as follows:

(Strike out all after the resolving clause and insert the part printed in italic.)

(Strike the preamble and insert the part printed in italic.)

Whereas, on June 19, 2003, NATO's Allied Command Transformation (ACT), was formally established to increase military effectiveness and prepare the Alliance for future security challenges;

Whereas, on June 19, 2013, the North Atlantic Treaty Organization (NATO) will celebrate the 10-year anniversary of the establishment of NATO ACT;

Whereas the security of the United States and its NATO allies have been enhanced by the establishment and continued work of NATO ACT;

Whereas, for the past 10 years, ACT has been leading NATO's military transformation, and providing relevant and timely support to NATO operations, while developing partnerships around the globe to adapt to the changing global security environment;

Whereas ACT is the only NATO headquarters in the United States, and the only permanent NATO headquarters outside of Europe;

Whereas ACT provides state of the art education, training, and application of best practices and lessons learned from past operations, and equips Alliance troops with the tools they need to win today's wars;

Whereas ACT improves NATO's defense planning and develops compatible equipment and common standards necessary to keep Alliance capabilities aligned;

Whereas NATO ACT has been integral to a NATO mission of promoting a Europe that is whole, undivided, free, and at peace;

Whereas NATO ACT strengthened the ability of NATO to perform a full range of missions throughout the world;

Whereas NATO ACT has provided crucial support and participation in the NATO International Security Assistance Force in Afghanistan, as NATO endeavors to help the people of Afghanistan create the conditions necessary for security and successful development and reconstruction;

Whereas ACT employs personnel from 26 of the 28 NATO member nations and six of the 41 NATO Partner nations and contributes more than \$100,000,000 annually to the local economy;

Whereas NATO has been the cornerstone of transatlantic security cooperation and an enduring instrument for promoting stability in Europe and throughout the world for over 60 years, representing the vital transatlantic bond of solidarity between the United States and Europe, as NATO nations share similar values and interests and are committed to the maintenance of democratic principles;

Whereas the Chicago Summit Communiqué affirms that all NATO members "are determined that NATO will continue to play its unique and essential role in ensuring our common defense and security" and that NATO "continues to be effective in a changing world, against new threats, with new capabilities and new partners";

Whereas, through the Alliance, the United States and Europe are effective and steadfast partners in security, and ACT is well positioned to contribute to the strength of the Alliance on both continents;

Whereas NATO ACT has done much to help NATO meet the global challenges of the 21st

century, including the threat of terrorism, the spread of weapons of mass destruction, instability caused by failed states, and threats to global energy security; and

Whereas the 10th anniversary of NATO ACT is an opportunity to enhance and more deeply entrench those principles, which continue to bind the alliance together and guide our efforts today: Now, therefore, be it

Resolved, That the Senate—

(1) celebrates the 10th anniversary of the establishment of NATO Allied Command Transformation (NATO ACT);

(2) recognizes NATO ACT's leading role in transforming Alliance forces and capabilities, using new concepts such as the NATO Response Force and new doctrines in order to improve the Alliance's military effectiveness;

(3) expresses appreciation for the continuing and close partnership between the United States Government and NATO to transform the Alliance;

(4) remembers the 64 years NATO has served to ensure peace, security, and stability in Europe throughout the world, and urges the United States Government to continue to seek new ways to deepen and expand its important relationships with NATO;

(5) recognizes the service of the brave men and women who have served to safeguard the freedom and security of the United States and the whole of the transatlantic alliance;

(6) honors the sacrifices of United States personnel, allies of the North Atlantic Treaty Organization, and partners in Afghanistan;

(7) recognizes the outstanding partnership between the local community in Norfolk, Virginia and NATO personnel assigned to ACT;

(8) reaffirms that NATO, through the new Strategic Concept, is committed to helping the Alliance adapt and prepare for the complex and demanding future security;

(9) urges all NATO members to take concrete steps to implement the Strategic Concept and to utilize the taskings from the 2012 NATO summit in Chicago, Illinois, to address current NATO operations, future capabilities and burden-sharing issues, and strengthen the relationship between NATO and partners around the world;

(10) calls upon the President to use the momentum of the occasion of the 10th anniversary of NATO ACT—

(A) to engage each of the member states of the North Atlantic Treaty Organization in a dialogue about the long-term health of the Alliance, and strongly encourage each of the member states to make a serious effort to protect defense budgets from further reductions, better allocate and coordinate the resources presently available, and recommit to spending at least 2 percent of gross domestic product (GDP) on defense; and

(B) to examine and report to Congress on recommendations that will lead to a stronger Alliance in terms of military capability and readiness across the 28 member states, with particular focus on the smaller member states; and

(11) conveys appreciation for the steadfast partnership between NATO and the United States.

Mr. WHITEHOUSE. I further ask unanimous consent that the committee-reported substitute be agreed to; the resolution, as amended, be agreed to; the amendment to the preamble be agreed to; the preamble, as amended, be agreed to; and the motions to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported substitute was agreed to.

The resolution (S. Res. 156), as amended, was agreed to.

The amendment to the preamble was agreed to.

The preamble, as amended, was agreed to.

RESOLUTIONS SUBMITTED TODAY

Mr. WHITEHOUSE. I ask unanimous consent that the Senate proceed to the immediate consideration en bloc of the following resolutions, which were submitted earlier today: S. Res. 207, S. Res. 208, S. Res. 209, S. Res. 210, and S. Res. 211.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. WHITEHOUSE. I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be laid upon the table en bloc, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under "Submitted Resolutions.")

Mr. WHITEHOUSE. Mr. President, before I note the absence of a quorum, let me express my appreciation to Senator MORAN for his patience as we go through the closing script. He will have an opportunity to speak at the conclusion of this, and I appreciate very much his courtesy in accommodating us in this way.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AFFORDABLE CARE ACT

Mr. MORAN. Mr. President, 3 years ago Congress passed a massive health insurance law which didn't have a single Republican vote, and it had significant opposition by the public.

In an administration proclaiming to be the most transparent ever, this 2,700-page bill was rammed through Congress in the early morning hours on Christmas Eve. Even then-Speaker of the House Pelosi said Congress had to pass this bill so that we could find out what was in it.

Well, we did. It was passed, and the American people are not liking what they have discovered.

While the President promised the Affordable Care Act would lower health care costs and strengthen our health care system, the law, instead, is increasing health insurance premiums, slowing economic recovery, and hindering job creation. We should not allow the administration to continue to ignore this reality. We must permanently delay the Affordable Care Act.

Since its enactment in 2010, 18 components of the health care law have been changed, cancelled, or delayed. The President downplays the law's substantial defects by characterizing them as "glitches and bumps" that are to be expected. He also claims that the Affordable Care Act critics are responsible for the law's broken promises by arguing that the problem is with "folks out there who are actively working to make this law fail." Meanwhile, the Affordable Care Act is slowly unraveling.

Every day brings new information about missed deadlines, funding shortfalls, soaring health insurance premium rates, and a technical implementation that is floundering. Is it any wonder that this law continues to be publicly unpopular?

With the majority of mandates, fees, and taxes taking effect in 2014, we are already beginning to see the alarming effects of the law on individuals, families, employers, and on our economy. It is one broken promise after another.

Promise No. 1. In attempting to convince the American people that the ACA was good, the President promised it would "save families \$2,500 in the coming years." But since 2008, the average American family has seen health insurance premiums rise more than \$3,000. Nonpartisan actuaries estimate that national health spending will grow at an average rate of close to 6 percent annually between 2011 and 2021. As national spending ticks up, American families will continue to see their monthly premiums go up.

States are beginning to release details on the rates consumers will pay for ACA-related health insurance starting on January 1. An unfortunate pattern is emerging—ACA-mandated insurance is going to increase costs for many Americans.

Recently, the State of Indiana announced that insurance rates will increase 72 percent for consumers in the individual market. Consumers in Ohio, Florida, South Carolina, and Maryland have also announced they are expecting to see their premiums increase significantly. Just yesterday, the Georgia insurance commissioner asked the Department of Health and Human Services to extend the deadline to approve health plans in their State because some rates were expected in Georgia to rise by 198 percent.

In my home State of Kansas, I consistently hear concerns from individuals, business owners, and even local government officials about the impending costs of the Affordable Care Act.

For example, rural Kansas school districts and special education co-ops, whose budgets are already stretched thin, will now be forced to cover the costs associated with the law. This has resulted in reductions in employees' hours and may trigger layoffs in order for the districts to avoid significant ACA-related penalties.

It is sad to visit with the director of a special education co-op only to learn that less services are going to be pro-

vided to special needs students because of the costs associated with the Affordable Care Act.

The American people were promised savings and security. Instead, we are experiencing less of both. The Affordable Care Act is leaving Americans with less options and simply unaffordable care.

Promise No. 2. In 2009, the President said:

No matter how we reform health care, we will keep this promise: If you like your doctor, you will be able to keep your doctor, period.

Reality has since whittled down this promise dramatically. If you go to the Affordable Care Act Web site today, you will find this far less confident statement:

Depending on the plan you choose in the Marketplace, you may be able to keep your current doctor.

Even large labor unions have recently criticized the President and congressional Democrats for breaking this promise. Notably, the National Treasury Employees Union, the union that represents most IRS employees, is urging its members to write their elected officials to oppose any effort that would force them to participate in the health insurance exchanges.

Further, several unions stated:

When you and the President sought our support for the Affordable Care Act (ACA), you pledged that if we liked the health plans we have now, we could keep them. Sadly, that promise is under threat.

And another statement:

[A]pproximately 3 million laborers, retirees, and their families now face the very real prospect of losing their health benefits. This, I must remind you, was something that you promised would not happen.

Promise No. 3. The President indicated that the Affordable Care Act would "lower costs for . . . the federal government, reducing our deficit by over \$1 trillion in the next two decades. It is paid for. It is fiscally responsible."

The only way the Affordable Care Act will reduce deficits is by grossly increasing the taxes and fees associated with this law. One wonders how anyone believed at the time that the new entitlement program would ever save money.

These broken promises are more than just words. The administration's false starts and early failures in implementing the Affordable Care Act are just the beginning. The harm this law will do to individuals, families, and businesses will continue to emerge. In less than 3 months, individuals will be asked to start enrolling in a health insurance exchange when insurance rates, coverage requirements, and subsidy amounts are still largely unknown. And, increasingly, the question being asked is, What happens to individuals required to buy health insurance or face penalties if the exchanges are not ready on time?

I am the ranking member of the Senate Appropriations Subcommittee on Labor, Health and Human Services. I

offered two amendments to the fiscal year 2014 bill that would bring some certainty to this overarching issue.

First, I offered an amendment to codify the administration's decision to delay the employer mandate. While many of my colleagues on the Democratic side issued press releases praising the administration's decision to delay, when asked to affirmatively vote in committee to delay for 1 year, they all voted no. The amendment failed on a straight party-line vote.

The second amendment I offered delayed the implementation and enforcement of the individual mandate for 1 year. While I support the delay of the employer mandate, in that decision, like it or not, the administration undermined its own credibility in stating that the Affordable Care Act would be implemented on time, as promised. We should not, and cannot, require individuals to risk their health care coverage by signing up for an unworkable program with a dubious future. Unfortunately, my colleagues—again, on the Democratic side—disagreed. They refused to extend the exemption the President granted to businesses to families and individuals—to all Americans.

The evidence continues to show that the Affordable Care Act is so large and convoluted that it cannot be implemented into practice. Reports from State actuaries, the Congressional Budget Office, the Government Accountability Office, and nonpartisan think tanks have reached the same conclusion: Almost everything we were told about the Affordable Care Act is untrue.

We were told 3 years ago that we need to pass the Affordable Care Act to find out what is in it. Now we know, and it is not good. We don't need to force American families to endure another 3 years just to see how bad it actually will be.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR THURSDAY, AUGUST 1, 2013

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Thursday, August 1, 2013, and that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use until later in the day; that following any leader remarks, the Senate be in a period of morning business

until 11 a.m., with the time equally divided and controlled between the two leaders or their designees, with Senators permitted to speak therein for up to 10 minutes each; that following morning business, the Senate proceed to executive session to consider Calendar No. 96, the Chen nomination, under the previous order; and finally, that the second-degree filing deadline for amendments to S. 1243 be 11 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. WHITEHOUSE. There will be two rollcall votes at noon tomorrow: confirmation of the Chen nomination and cloture on the THUD bill. Additionally, there will be a vote in the afternoon on confirmation of the Power nomination.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. WHITEHOUSE. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 8:17 p.m., adjourned until Thursday, August 1, 2013, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

KENNETH L. MOSSMAN, OF ARIZONA, TO BE A MEMBER OF THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD FOR A TERM EXPIRING OCTOBER 18, 2016, VICE JOHN EDWARD MANSFIELD, TERM EXPIRED.

DEPARTMENT OF TRANSPORTATION

SYLVIA I. GARCIA, OF MICHIGAN, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF TRANSPORTATION, VICE CHRISTOPHER P. BERTRAM, RESIGNED.

EXECUTIVE OFFICE OF THE PRESIDENT

JO EMILY HANDELSMAN, OF CONNECTICUT, TO BE AN ASSOCIATE DIRECTOR OF THE OFFICE OF SCIENCE AND TECHNOLOGY POLICY, VICE CARL WIEMAN, RESIGNED.

DEPARTMENT OF THE INTERIOR

MICHAEL L. CONNOR, OF NEW MEXICO, TO BE DEPUTY SECRETARY OF THE INTERIOR, VICE DAVID J. HAYES, RESIGNED.

DEPARTMENT OF THE TREASURY

SARAH BLOOM RASKIN, OF MARYLAND, TO BE DEPUTY SECRETARY OF THE TREASURY, VICE NEAL S. WOLIN.

UNITED STATES TAX COURT

L. PAIGE MARVEL, OF MARYLAND, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM OF FIFTEEN YEARS. (REAPPOINTMENT)

DEPARTMENT OF STATE

JOHN L. ESTRADA, OF FLORIDA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF TRINIDAD AND TOBAGO.

NOAH BRYSON MAMET, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE ARGENTINE REPUBLIC.

ROBERT O. BLAKE, JR., OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF INDONESIA.

THOMAS FREDERICK DAUGHTON, OF ARIZONA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF NAMIBIA.

PHILIP S. GOLDBERG, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER-MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE PHILIPPINES.

MICHAEL STEPHEN HOZA, OF WASHINGTON, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CAMEROON.

EUNICE S. REDDICK, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF NIGER.

KAREN CLARK STANTON, OF MICHIGAN, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE DEMOCRATIC REPUBLIC OF TIMOR-LESTE.

GREGORY B. STARR, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF STATE (DIPLOMATIC SECURITY), VICE ERIC J. BOSWELL, RESIGNED.

BROADCASTING BOARD OF GOVERNORS

KENNETH R. WEINSTEIN, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2014, VICE DENNIS MULHAUPT, RESIGNED.

DEPARTMENT OF STATE

AMY JANE HYATT, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF PALAU.

NATIONAL SCIENCE FOUNDATION

FRANCE A. CORDOVA, OF NEW MEXICO, TO BE DIRECTOR OF THE NATIONAL SCIENCE FOUNDATION FOR A TERM OF SIX YEARS, VICE SUBRA SURESH, RESIGNED.

CONFIRMATION

Executive nomination confirmed by the Senate July 31, 2013:

DEPARTMENT OF JUSTICE

BYRON TODD JONES, OF MINNESOTA, TO BE DIRECTOR, BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES.